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CHARLES II. AND SCOTLAND IN 1650

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LETTERS AND PAPERS
ILLUSTRATING THE RELATIONS BETWEEN
CHARLES THE SECOND
AND SCOTLAND

IN 1650

Edited, with Notes and Introduction, by
SAMUEL RAWSON GARDINER

LL.D., etc.



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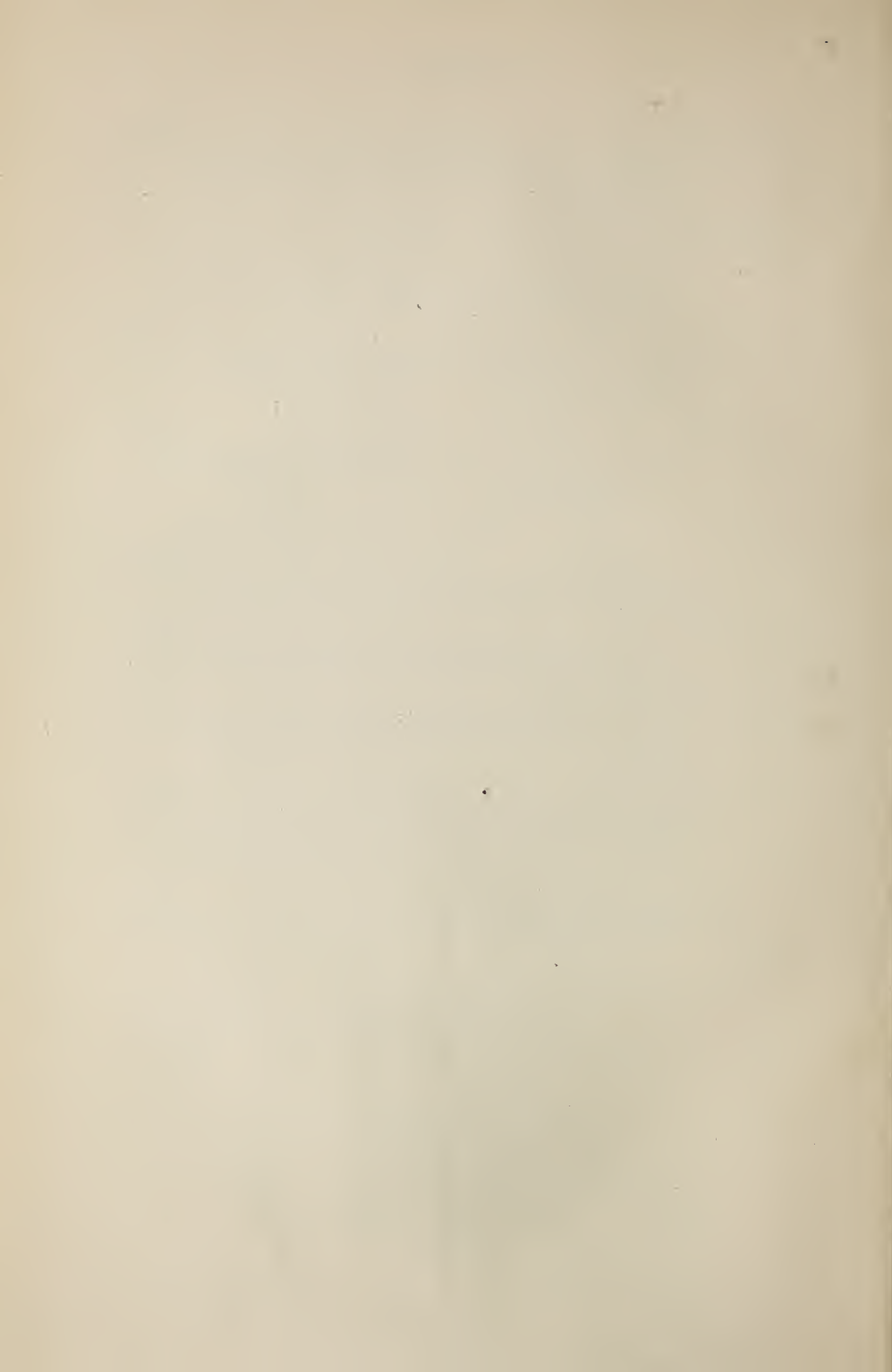
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INTRODUCTION

THE documents contained in this volume are intended to illustrate the relations between Charles II. and the Covenanting government in Scotland, especially during the negotiations carried on at Breda in the spring of 1650. They also bear incidentally on the King's attitude towards Montrose; and throw some light on his plans for obtaining assistance on the Continent and promoting a rising in England. The latter subject can hardly be considered out of place even in the publications of a Society whose proper ground is Scottish History. During the years 1650-1651, the affairs of England and Scotland were closely intertwined, and if, for instance, it is impossible to judge fairly the considerations which led to Charles's resolution to invade England in 1651 without acquaintance with the revelations of Tom Coke, it is also impossible to understand his motives in placing himself under the yoke of the Scottish Presbyterians without some knowledge of the hopes which he entertained of being able to free himself from bondage with the assistance of the English Cavaliers.

The nucleus round which the present volume has grown is to be found in the extracts from the *Brief Relation*. This rather short-lived newspaper was the official organ of the Council of State, and remained so till it was superseded by the well-known *Mercurius Politicus*. The *Brief Relation* mainly addicted itself to the publication of correspondence from foreign countries, amongst which Scotland and Ireland were included. Imbedded in this correspondence is to be found the reports of a spy who succeeded in attaching himself to Charles II. during his journey through France on his way

to Breda, and remained with him during the negotiation carried on at that place. He was not admitted into the inner circle of Charles's confidants, but he had opportunities of hearing much of what was going on, and his habit of acknowledging his ignorance when he has failed in obtaining information inspires confidence in his honesty. Though he was certainly misinformed on some matters, such as the Queen's position towards her son's understanding with the Scots, I am inclined to think that he always aimed at accuracy, and that he was usually successful. On this point, however, my readers will now have an opportunity of judging for themselves.

The *Brief Relation*, of which a complete series exists in the British Museum,¹ is so rare that the Council of the Society has permitted me to publish extracts from it, in contravention of their usual rule to print only manuscript authorities. I have therefore felt myself justified in adding a few other documents already printed, where the books in which they are to be found are not likely to be accessible to many of the members of the Society. I would especially draw attention to the documents from the archives at the Hague, which have been published by Dr. Wijnne in his work on *De Geschillen over de Afdanking van 't krijgsvolk*, etc. Those interested in the Scottish history of the time would do well to consult this book, which contains other Scottish documents than those given in the present volume, especially several dealing with the earlier negotiations carried on with Charles II. in 1649. Of other documents already printed, I may mention the four letters from Loudoun, seized after the battle of Dunbar (Nos. LXXX., LXXXII., LXXXIII., LXXXV.), which, as far as I am aware, have never been used by any historian, though they have been in type no less than two hundred and forty-four years, and the letter from one of Cromwell's soldiers (No. LXXXVI.), which is interesting as showing what the people of Scotland seemed to

¹ In giving references to each number I have added the press mark, as, for example, at p. 5, note 1, E 593, 2.

be like in the eyes of a stranger apparently not altogether unprejudiced. Interesting as they are, the two letters about Charles's conversations with the Dean of Tuam (Nos. LXXXVII., LXXXVIII.) ought not to have appeared here, as they are printed in a book so well known as Carte's *Original Letters*, a fact of which I was not aware till it was too late to exclude them.

Of the documents drawn from manuscripts, those taken from the State Papers in the Public Record Office have, in some cases, been very fully calendared by Mrs. Everett Green, but I have thought it worth while to reproduce them in their entirety, especially as I have been able to rectify a few clerical errors. In some cases, such as that of the letter from Montrose (No. xxxvi.), the last one which he ever wrote to Charles, there has been practically no antecedent publication at all. The same may be said of letters and documents here printed from the Clarendon or Carte Manuscripts in the Bodleian Library. Of the latter collection no calendar has been printed, and Mr. Macray's Calendar of this part of the former is too brief to take the place of a full publication. Where part of a letter here printed has already appeared in the *Clarendon State Papers*, I have referred to the circumstance in a note. As for the account of the trial of Macleod, given in the Appendix, it cannot be said to add much to our knowledge of the circumstances attending Montrose's capture ; but, as arguments have frequently been based on it, it seems worth while to print it in its entirety, if only to show what it does not contain.

It must be remembered that, however widely I have sought for material, much has necessarily been omitted as printed in other collections easily accessible, and it may therefore be helpful to my readers if I make some attempt to fill up the gaps as far as such material is known to exist.

At the close of 1649 Charles was at Jersey, whither—in consequence of a resolution taken upon the failure of his negotiation with the Scots earlier in the year—he had gone with the intention of crossing to Ireland to take part in the

resistance offered by Ormond to the English Commonwealth. He remained in Jersey longer than he intended, in consequence of the rumours which reached him of Ormond's defeat at Rathmines and of Cromwell's subsequent victories. These rumours he was unable either to accept or reject, as Ormond, having lost the key to his cipher at Rathmines, had written nothing for many weeks. Accordingly, in the course of October, Charles sent Henry Seymour to Ireland to learn the truth from Ormond's own lips.

Already there had been a feeling amongst the Covenanting leaders in Scotland that another attempt should be made to gain the support of Charles's presence amongst them. Early in July, probably on the 7th, the political situation was discussed at a conference between five of the most active ministers on the one hand, and Argyll, Loudoun, David Leslie, Johnston, and Chiesley on the other. Johnston and Chiesley, who were afterwards found amongst the Remonstrants, argued for keeping up Argyll's policy of 1648, and forming an alliance with the English Commonwealth. The others gave their opinion in favour of submission to the King on condition of his giving satisfaction about religion and the Covenant.¹

On July 15, Will Murray arrived in Scotland with private letters from Charles for Argyll and others. Though their contents are not known, it is reasonable to suppose that they assured those to whom they were addressed of Charles's desire to come to terms with the Scots, if the Covenant were not pressed—that is to say, not the National Covenant, which concerned Scotland alone, but the Solemn League and Covenant, which, except on the interpretation of the English Independents, bound those who took it to the exclusive establishment of the Presbyterian system in England. Argyll seized the opportunity of a thin attendance in Parliament to obtain a vote, for despatching Lothian to the King to re-open the negotiations. An out-

¹ *Balfour*, vol. iii. p. 416. See Argyll's letter (No. 1.) of September 25.

cry was, however, raised against this manœuvre, and Lothian refused to go on these conditions. On August 7, George Winram of Liberton was substituted for Lothian, but when his instructions came to be drawn they proved so unbending in the matter of the Covenant that Winram too refused to stir.¹ Argyll's part in the matter can be readily conjectured. He was too sensible to be blind to the folly of the attempt to force the Solemn League and Covenant on Charles, but too much bound by party ties to avow honestly what he really thought. When at last, on October 11, Winram sailed from Leith, it was less because Argyll had changed his mind than because he had heard of Cromwell's success at Drogheda, and hoped that Charles would accept conditions to which he was not likely to give way as long as he could hope for support in Ireland. Winram passed through Holland, where he held conferences with the English Presbyterian exiles, and carried with him Colonel Titus, who was to back him in urging Charles to make terms with the Presbyterians of both countries.²

The feeling of the Cavaliers in Jersey is depicted in Berkeley's letter to Hyde (No. II.), whilst Charles's reluctance to conclude anything till Seymour's return, on December 27, with bad news from Ireland, may be traced in correspondence printed in Hoskins' *Charles II. in the Channel Islands*, vol. ii. p. 348, and in Seymour's letter of March $\frac{5}{13}$ to Ormond (No. XXI.), whilst notes of subsequent proceedings in Council will be found in the *Nicholas Papers* (Camden Society), vol. i. p. 160. The Council, it appears, were for a treaty with the Scots 'on honourable terms.'

What Charles at this time meant by 'honourable terms' is clear from the well-known letter which he addressed on January 11, 1650, to the Committee of Estates. What he

¹ *Balfour*, vol. iii. p. 417; *Baillie*, vol. iii. p. 90; *Acts of the Parliaments of Scotland*, vol. vi. part ii. pp. 538, 739, 740.

² See Love's case in the *State Trials*, vol. v., and Hillier's *Narrative of the attempted escapes of Charles I.*

wanted was a reconciliation of parties in Scotland which would unite all his subjects in his service, and would combine in one common movement Covenanters like Argyll, Engagers like Hamilton, and pure Royalists like Montrose. It was this desire that he persistently retained to the end of the struggle, which made him well pleased to hear of the defeat of the pure Covenanters at Dunbar, and which animated him in procuring the repeal of the Act of Classes in 1651, and in forming the army which he led to the great catastrophe of Worcester. In his answer to the English Presbyterians, he now urged them 'to send presently into Scotland to prevail with them to bring such reasonable demands to the treaty as, meeting with our inclination and resolution to accord all just and reasonable things, may by the blessing of God produce a full and happy agreement.'¹

It was with a view to making this policy successful that Charles wrote to Montrose (probably on January 12) to proceed with his preparations for an attack on Scotland. Montrose was, in short, to frighten the Covenanters into abandoning their exclusive standpoint. Such a design does not imply any intention on the part of Charles to sacrifice Montrose, though it was undoubtedly very difficult to carry into execution, being easily disarranged by circumstances, just as every design is likely to be frustrated which depends on a combination between distant forces.

That Montrose's friends should be dissatisfied with the part assigned to the hero was only natural, and we are therefore not surprised to find his agent in Paris publishing Charles's letters, in order to disgust the Covenanters and so break off the negotiation with them (Nos. XIII., XXVII.). The following letter from the poet Cowley, at that time secretary to Lord Jermyn, to which Mr. Firth has drawn my attention, bears upon the subject:—

¹ Hillier's *Narrative of the attempted escapes of Charles I.*, p. 321.

Paris, March 13,¹ 1650.

SIR,—I sent you not the french translation of the letter to my Lord Montrose till now, in hope to get one in Latin too, but can not find any in the town, nor learn that any such has bein printed here. Mr. Messenger has bein again with the printer, but finds him now more cautious then before, soe that hee is not able to give you any more information then that of his last letter. Noe doubt it has donne the King a great deal of hurt, but it is very happy that it has mist of the chiefe end for which I conceive it was published, which was to hinder the treaty. That danger is now over, and the only doubt remaining is whether the treaty will produce an agreement, and I dare say all the world besides a few of our nation believe it soe great a madnes not to agree that they think it impossible to happen, but of this you are a better judge then I, as of all the truths besides this one that I am your most humble and most obedient servant,

A. COWLEY.

I send you the gazets because of the news there concerning my Lord Montrose. Hee is undoubtedly not yet landed in Scotland.²

The letters printed in the text of this volume enable us to add something to our knowledge of Montrose's expedition. No. v., for instance, gives us the original from which the usual account of his standards, etc., was evidently taken; and other letters, such as Nos. x., xii., xv., bear upon his movements. On the other hand, we have from time to time papers throwing light on Charles's hopes from the English Royalists, whose rising was to effect an important diversion to keep back the army of the Commonwealth from any strong opposition to the projected attack from Scotland. Moreover, it can hardly be doubted that Charles hoped to weaken the effect of the rigidity of the Covenanters by availing himself of the support of the English Cavaliers.

As Charles passed through France on his way to Breda and lingered at Beauvais to hold a consultation with his mother, the correspondent of *The Brief Relation* enables us to gain some

¹ March 13.

² Cowley to Ormond, March 13, *Carte MSS.*, cxxx. fol. 169.

knowledge of his attitude towards parties in Scotland, though the reader must never lose sight of the fact that the writer was not within the inner circle of the Court. In spite of this, however, and of his evident readiness to impute to the Queen a greater desire to win Charles to the acceptance of the Covenant than she had, in reality, the letters give what may doubtless be accepted as a true display of Charles's mingled feelings at this conjuncture—his wish to stand by Montrose, joined by a wish to conciliate the Covenanters, whilst he still hoped to induce them to abandon their notion of keeping both Royalists and Engagers from joining them in his service.

Of Charles's anxiety to support Montrose, we have the evidence of the two warrants signed on March $\frac{19}{29}$ and March $\frac{20}{30}$ (Nos. xxxi., xxxii.). Montrose's own feelings on receiving news of the King's intention to treat with the Covenanters, which, as appears, reached him on March 23, after his arrival at Kirkwall, and not before his sailing from Norway,¹ as has hitherto been supposed, appear in the touching letter of March 26, the last he ever wrote to Charles (No. xxxvi.), whilst May's letter of March 30 (No. xxxix.) tells us something of his expectations of help from Scotland itself.

We now come to the so-called 'Treaty of Breda.' It must be remembered that in those days a treaty did not mean what it does now, the agreement at the end of the negotiations, but the negotiation itself. Thus, we talk of the Treaty of Uxbridge, the Treaty of Newport, etc., though no conclusion was reached on either of those occasions. In this case, however, we find in official documents, such, for instance, as those in the *Acts of the Parliaments of Scotland*, the phrase 'Treaty at Breda,' evidently meaning not the negotiation alone, but the negotiation together with its concluding agreement. That such an agreement was signed by Charles on May 1 (see p. 85, note 1) is beyond question. It was not, however, a

¹ From Bergen, as appears from the letter from Elsinore (No. xxix.).

binding understanding, but an agreement accepted *ad referendum*, and it is therefore a mistake to speak of a Treaty of Breda in the modern sense of the words. The really binding engagement was signed off Heligoland on June $\frac{11}{11}$ (*Clarendon State Papers*, vol. ii. App. lxxv.), and this is the date given to Charles's assent to the Scottish Propositions in the official recognition of it by the Scottish Parliament (*Acts of the Parliaments of Scotland*, vol. iv. part ii. p. 601).

As far as the contention about the acceptance of the Covenant was concerned, it must be remembered that the Covenant in dispute was not the Scottish National Covenant of 1638, but the Solemn League and Covenant of 1643. Charles had no objection to the maintenance of the Presbyterian system within Scotland itself; but he had a very strong objection to imposing it on England, probably on various grounds, but certainly because he knew that it would alienate from him his most loyal supporters in that country.

With respect to the course of the negotiations at Breda, the papers given in the present volume should be compared with the documents printed in the Appendix to the second volume of the *Clarendon State Papers*, and with the notices in the 'Life of Livingstone,' printed in the *Select Biographies of the Wodrow Society*. Put together, the evidence thus acquired tells a clear tale. Charles for some days battled for a general reconciliation of Scottish parties. He also hoped to be able to send foreign troops into England to form a rallying-point for a Cavalier insurrection. As his hopes of being able to despatch these troops melted away, he found himself forced to admit that he must either take the Covenanter on his own terms, or abandon for the present—probably for many years—all hope of restoration. Then came the temptation, pressed on him from more than one quarter, to swear to anything, however repulsive, trusting to the glamour of his own presence and the consequent popularity which he felt certain of acquiring in Scotland, to beat down the unreasonable terms

which he was now driven to accept. To this temptation Charles, after some hesitation, succumbed. How long, however, the struggle was kept up in his mind is evident not only from the fact that he sailed from Holland without signing the Covenants, but from an addition made to his acceptance of them off Speymouth, of which the original is preserved amongst the Clarendon MSS. in the Bodleian Library. In the document to which he appends his full signature, the following words occur:—‘I shall give my Royal Assent to the Acts of Parliament enjoining the same in the rest of my dominions.’ In the margin is added for insertion after the word parliament, ‘bills or ordinances past or to be past in the Houses of Parliament.’ This insertion is initialled ‘C.R.’ It would seem that those who had charge of the document feared lest after his recovery of the Crown of England and Ireland, he should escape from their toils, if, as was quite probable, the Parliaments of those kingdoms omitted to present a bill for the establishment of the Presbyterian system. In the insertion Charles promised to accept its establishment as already existing in virtue of ordinances and bills passed by the Long Parliament, to which neither his father nor himself had given assent.

What, then, was Charles to do for Montrose? The letters which were printed by Mr. Denistoun in the Miscellany of the Abbotsford Club have often been commented on, much to Charles’s disadvantage, notably in Napier’s *Memoirs of Montrose*. An entry in Secretary Long’s notes (p. 126) throws an entirely new light on the matter. It is impossible, after reading this note, to doubt that Charles did the best he could—short of breaking with the Covenanters—to bring Montrose off in safety. What he contributed to the catastrophe was, that he negotiated with the Covenanters at all. Though no evidence exists, it is in the highest degree probable that the failure of the Mackenzies to rally to Montrose, which brought about the disaster of Carbisdale, was the result of Seaforth’s calculation of the probability that it would be safer for him

to support the King in combination with the Covenanters than to join Montrose against King and Covenanters together.

The closing pages of the volume, dealing with affairs in Scotland after the King's landing, are of a somewhat miscellaneous character; but they will, I think, assist in the understanding of a story, the main lines of which are already sufficiently known.

ERRATA.

Page 71.—Heading to No. LIV. *for* James Macdonell *read* — Macdonell.

,, —Add a footnote, ‘Whoever the writer was, he was not, as is shown by the difference of the handwriting, Sir William Macdowall, whose name is frequently given by contemporaries as Macdonell.’

Page 95.—Last line of text, *for* Bertley *read* Berkley.

Page 136.—Note 1, *for* Cowkainy *read* Cockenzie.

CHARLES II. AND SCOTLAND

IN 1650

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I

THE MARQUIS OF ARGYLL TO THE PRINCE OF ORANGE ¹

MAY it pleas your Highnes, I was not in town when S^r Joseph Douglas ² returned, but your Highnes' letter gave me much satisfaction and hoops of a good answer from his Ma^{ty}, whairin his own happines is neerlie concerned; and if I be not much mistaken, your Highnes cannot doe his Ma^{ty} better service nor in persuading him to concur in the league and covenant, and perfecting what was wanting in his father's answers for satisfaction of his good subjects, especialie in religion, and as thair is not any so good way for disappointing the king's enemies, and strenthening his interest in the three kingdomes, so I howpe your Highnes will not leave off to pres it, and in so far as this kingdome may be conserved I know thair is no intercessour whom they doe so much valu, or rely upon, as your Highnes, and as a mean subject in it no man is mor Your Highnes' most humble servant then,

ARGYLL.

25 September 1649.

1649.
Sept. 25.
Oct. 5.

II

SIR JOHN BERKELEY TO SIR EDWARD HYDE ³

Paris, December 3.

DEARE MR. CHANCELER,—I received at Jersey yours that was dated betwene Blois and Burdeaux, and am sorry my

1649.
Nov. 23.
Dec. 30.

¹ Published by Dr. Wijnne, in *De Geschillen over de Afdanking van 't krijgsvolk*: Utrecht, 1885.

² Employed in the negotiation with Charles II. carried on at the Hague, in 1649.

³ *Clarendon MSS.* vol. ii. No. 73.

freind and you parted no better, the rather because I have taken some paines he should be yours, and that I am resolved to be an humble servant to you both, neither am I subtle enough to deserue in him any thing but valiew and kindnes of and to you: we must expect no degree of perfection in this world; and if we dismiss our freinds for every fayling we shall be left alone. I beleeeve if some of those paragons¹ now at Jersey were well examined by an exact lapidary, they would be found with their flaws; but they have learnt a rule which the Spaniard hath turn'd into a proverbe: *procura buena fama y echa te a dormir*. In such a slumber I left some of them, who to my seeming did things the most like dishonest men, in soe much I should have sworne it, if they had beene doane by any less fallible then themselves; and this I shall interpret unto you when we meete. For the present, let us returne to the subject of your letter, wherein you say you doubt P.² will cosen us. I am glad we are cosenable; I had thought we weare in soe desperate a condition as who soever had to doe with us were in danger to be losers by us, and that the diurnall the last weeke sumn'd up the matter not very ill, by saying if the king joyne not with the Scotts he is undonne, and if he doe, they are. I doe beleeeve we have beene, and are still deceived, but trust me I think it is by our selves, by never allowing any expedient conducing to our recovery lawfull untill it be in-effectuall;—by not induring to swallow bitter pills tell they would not worke;—by loosing what we might have had, because we could not obtayne what we wish't to have;—by being of the opinion of some of your freinds now at Jersy, that it was happy for Croune and Kin[g]dome that Hamilton did not prevayle in England, and that we ought not to wish that nation engaged against the murderers upon the same termes they were then (which some beleeeve we might have obtayned of them); and in the meane time propound no meanes for our recovery but such as would not acquit one before an honnest jury from being not *compos mentis*. And for my part I will deale freely with you that I think we shall never be undeceived

¹ Referring to those of Hyde's party who opposed any negotiation with the Scots.

² ? The Presbyterians.

untill our eyes are opened soe as to be able to see that we ought to give one hand to the Chatholike Roman, and other to the Presb[byterian], and joyne with them both to the destruction of our common ennimy as far as we can doe *salvâ conscienciâ*, and that not scrupled with scholasticall notions, but such as become a sober christian. That done, I take this following rule to have no exception *redime te captum quam queas minimo*,¹ but this is too much. I came from Jersey about 8 dayes since, and left all well there. An express 2 dayes before came from Lord Ormond, of 3 weekes date, since which time Wexford and some other places are lost. My Lord Marquis presseth earnestly his Majesty going thither, which his Majesty concurs in. Mr. Long being required to give his opinion in councill by the rest of the councill, did it affirmatively, whereupon the rest suspended theirs. Prince Rober[t] was then upon the coast of France, and expected there. I mett with Ha[rry] May at the sea side, who speakes magnificent things of Montros, and that he will be with in ten dayes of this date in Scotland with 3000 foote and 800 horse: he hath had a great opportunity upon the disbanding in Jermamy, yet I cannot but doubt whether these numbers will be transported, as I shall doe their success when they are, and shall never expect a great effect from Scotland unles it can be united. My Lord Duke of Buckingham is in Flanders. I send him this day his commission for the guards of horse. My Lady Morton is well recover'd. I shall goe back within this fortnight. I had forgot to tell you that Windram was expected at Jersy before my comming from thence. I beleeve he will think he hath made a good voyage if he escape with a broken pate. The gallants talkt before I came away of throwing him over the wall, even before the tydings of Montrose came. You will be much to blame if you present not my most humble duty and servise to my Lord Treasurer.² God in heaven preserve you both.—I am, most humbly and faythfully yours.

¹ Up to these words the letter is printed in the *Clarendon State Papers*, vol. ii. p. 499.

² Lord Cottington, who was joined with Hyde in his embassy to Madrid.

III

CHARLES II. TO SOME GENTLEMEN OF NORFOLK
AND SUFFOLK¹

1649.
Jan. 24.
Feb. 3.

GENTLEMEN,—Having ever trusted Tom Blagge² in all communications with you, I assure you that I have not given any Commission eyther to Sir Hugh Rily or to any other with the least relation to you, or to the affaires of those parts, and I desire that noe creditt be given to any other person as comming from me to you. I intreate you therefore that whatsoever you are able and willing to doe for my service be communicated to me by Tom Blagg, and by noe other; and, if you be in a condition to supply my present wants with any money, that you will convey it to me by him, whose acquittance shall oblige me to the repayment of it. I think fitt likewise to acquaint you that I have appointed a speedy treaty with my subjects of Scotland, and doe not despaire of a full agreement with them, and desire you to be in redines, and to secure as many men as you can for my service to be made use of when I shall advertise you that it is seasonable, and like wise all such townes and places as you shall judge considerate to me or yourselves upon this occasion. You are persons that I depend much upon, and to whom I will freely communicate all my thoughts and desires, and shall be glad to receyve your advise as well as your assistance in all thing which I pray send to me by Tom Blagg upon all occasions, to which purpose I pray send an expresse to me to Breda at the tyme, with a full accompt of all these particulars in the meane tyme, and ever I shall remayne, Your affectionate,

[*Indorsed*] January the 24.

¹ *Clarendon MSS.* vol. ii. No. 228.

² He was of a Suffolk family, and had been governor of Wallingford. His daughter Margaret was afterwards Mrs. Godolphin.

IV

A LETTER FROM BREMEN ¹

(Extract)

24 January 16 $\frac{49}{50}$.

. . . Sir John Cockram is at the Court,² having before his going from Danzish procured contribution from his countrymen there, three thousand Rix Dollars to set him forward on his journey. It seems he hath great hopes of all manner of supplies from the King, being very zealous for that cause. What I can learn further of his actions there, you shall heare.

16 $\frac{49}{50}$.
Jan. 24.
Feb. 3.

V

LETTER FROM SWEDEN ³Stockholm, the 26 Janu. 16 $\frac{49}{50}$.

FOR newes in these parts, 'tis credibly reported that Montrosse hath shipt his officers and soldiers from Gottenburg for the Isles of Orkney, being about twelve hundred of several nations. When they had sailed about two leagues from shoare, they were encountered with so much Ice and continuing Frost, that they are frozen in, and 'tis thought will hardly get out this winter.⁴

Montrosse hath with him the Kings colours of foot, of black taffatie, with a man's head in the middle, bleeding as if new

16 $\frac{49}{50}$.
Jan. 26.
Feb. 5.

¹ *A Brief Relation*, Feb. 5-12 (E. 593, 2), p. 313.

² Of the King of Poland. Some papers relating to Cochrane's embassy have recently appeared amongst the MSS. of the Duke of Portland, calendered in the Hist. MSS. Commission's *Report* XIII., App., Part II., pp. 24-28.

³ *A Brief Relation*, Feb. 19-26 (E. 594, 8), p. 360.

⁴ It will be observed that nothing is said here, any more than in the letters of Ribbing printed in *Deeds of Montrose*, Appendix viii., about any wrecks on the Swedish coast. This paper appears to be the basis of the story to that effect, printed in *Balfour*, vol. iii. p. 438. The account of the wreck given in *Montrose Redivivus* (p. 174) is that two ships were sent before, but, by stress of weather, which is both frequent and dangerous amongst those northern islands, they were lost with all the men and arms, nothing saved. Is it not possible that a wreck really took place on some part of the Orkneys, and that the newsmongers mixed it in with the ice troubles near Gothenburg?

cut off, and his motto above is : *Deo et victricibus armis*. The King's standard of black damaske, with six hands, to wit three against three, with drawne swords, and six hands joyned with each other, between the swords, comming out of a blew cloud, and the Armes naked, and the motto : *Quos pietas, virtus, et honor fecit amicos*.

Montrosse his standard of white damaske, on it a lyon on a steep rock going to leap from one steep rock to another, and betwixt the two rocks a great river.

The motto :

'Nil medium.'¹

The Queen of Sweden hath not done anything by way of assistance to Montrosse ; yet a Scottish rich merchant, one John Mackliere² of Gottenburgh, hath disbursed sixty thousand Rix dollers in this his design, etc.

VI

LETTER FROM PARIS³

(*Extract*)

1649.
Jan. 30.
Feb. 9.

CHARLES STUART doth not appear here as yet ; they say his voyage is put off, and that he will not be at Breda before the midle of March. And truly it is not very likely his mother might give him any solid councils, whilst this Court⁴ is ambulatory and uncertaine of the event of their own affaires.

Severall Royallists here are still in doubt whither he shall passe into Scotland, considering the hardnesse (say they) of the demands of the Scots, who before all will divest him of his chiefest hopes, desiring of him these three points.

That he forsake the Irish Papists ; doth the like of Montrosse and his adherents ; and settle the Presbytery in his three Kingdomes.

Just now some marchants of Garnsey did informe that Charles Stuart is expected at Coutance, and doe thinke he is arrived there by this time.

¹ This again appears to be the basis of the account in *Balfour*, vol. iii. p. 439.

² On Maclear, see *Deeds of Montrose*, p. 273.

³ *A Brief Relation*, Feb. 5-12 (E. 593, 2), p. 317.

⁴ The French court.

VII

SUBSTANCE OF LETTERS FROM SCOTLAND ¹*(Extract)*

FROM Scotland wee have not much more than that their clearest seeing men begin to suspect that while they have so hastily fled from that terrible vizer² (held out by their Ministers and self-serving Statesmen), which they calld a Sectary, they are falne into the clawes of a reall danger, which now they rather wish they may escape than that they well know how. They begin to say that no man is corruption prooffe; and that he (as well as shee) that will hearken, will yeeld. They beleived Libbertoun had been more inflexible; and before his arrival and report, they begin to question whether he hath kept to his instructions or not. They suspect the warmer ayre at Jersey hath altered his cooler temper; and though there hath been no honour conferred on him, they doubt some may have been promised: and they know by experience how those enchantments operate. They goe on to reforme their army, to make more matter for Montrosse his levies.

1649.
Febr. 13.

VIII

LETTER FROM PARIS ³*(Extract)*

It is beleived here that Charles Stuart is already arrived from Jersey into France, and that about the end of the next weeke his mother will goe to conferre with him either at St. Germaines or elsewhere.

1649.
Feb. 12.

By Letters from St. Malo of the fifth instant, I am informed, that he makes account to goe from Breda into Denmarke and Swedeland, from whence he hath assurance to have great supplies, and thence to passe himself into Scotland at the head of Montrosse's Army.

¹ *A Brief Relation*, Feb. 5-12 (E. 593, 2), p. 306.

² *i.e.* Vizard.

³ *Id.* Feb. 5-12 (E. 539, 2), p. 320.

IX

LETTER FROM PARIS¹

(Extract)

Paris, $\frac{2}{12}$ February, $\frac{49}{50}$.16 $\frac{43}{50}$.
Feb. 1 $\frac{1}{2}$.

I HAVE formerly given you some assurance from such grounds as I then had, that the Prince was not agreed with the Scotts. I can now give it you upon very sure grounds, that you may relie upon the truth of it. That the Prince hath written letters to Montrosse,² wherein he prays him not to be discouraged at his dealing with the Scotts, with whom he is resolved never to agree, but upon very good and honourable termes, and so hee shall not onely have him and all his followers comprised in the agreement, but that he will also get such advantagious conditions for them as they shall live in Scotland with securitie and honour.

That indeed, in the letter that he hath written to them³ at the instance of Windram, and to satisfie his importunity, and of some others about him, he hath given them the title of Committee of his Estate[s], but that he hath done it onely in order to the treaty, and, in case the same should not take effect (whereof he saith he hath little or no hopes), that he revoketh the same and holds it as not given at all.

He further intreats him to goe on vigorously with his designs and preparations, it being to be imputed only to them that the Scots have entertained any thoughts of treating with him at all, and that this is the onely meanes to make them condescend to reason, of this you may be very certaine.

By some that came from Jersey, and arrived here on Sunday last, I am also inform'd, that the Prince hath sent Montrosse the Order of the Garter; and they also say, the day for the Treaty at Breda is to be the 15 of March, *stylo vet.*; and it is doubtfull, whither there will be any or not. The Prince was hardly drawne to consent to it.

¹ *A Brief Relation*, Feb. 5-12 (E. 593, 2), p. 307.

² Carte's *Orig. Letters*, vol. i. p. 356; Napier's *Memoirs of Montrose*, p. 752.

³ Napier's *Memoirs of Montrose*, vol. i. p. 355.

They also affirme that Windram had no authority from the Parliament of Scotland to tender the Prince a treaty unlesse he had first granted those the preliminary demands, at least that of acknowledging the two last Sessions of their Parliament; which, not being done, they at Jersey say, that he had no commission to offer them any such treaty, neyther had he power to offer him any supplies of moneys at his arrivall into Holland.

And whereas it hath beene reported here, that he had delivered £2000 to the Prince, those now came from Jersey affirme there is no such thing, that he hath not left him one penny. My Lord Percy is now come to Towne,¹ and he brings newes, that within foure or five dayes the Prince will be at Rouen. And some of the Queen's people say, shee will goe to meet him there, if she can by any meanes get money, which is very scarce with her.

X

LETTER FROM BREMEN ²

(Extract)

Bremen, 2 February, 16⁴⁹/₅₀.

WE have now no more noise of any levies for Montrosse, or that Party. Onely this week one Colonell Taylor, having sold by Montrosse's Order a parcell of armes, which were begged of the Dane in the Sound, brought the money (as I heare) to this toune, about 3000 Rix-dollars, and hath given those poor Officers, that have so long expected Montrosse, ten Rix-dollars a man; so I hope we shall be quit of them.

16⁴⁹/₅₀.
Feb. 1²/₂.

XI

LETTER FROM PARIS ³

(Extract)

The little Queen⁴ expecteth here howrely the Duke of Buck-

16⁴⁹/₅₀.
Feb. 1⁶/₈.

¹ *i.e.* to Paris.

² *A Brief Relation*, Feb. 12-19 (E. 593, 14), p. 352.

³ *Id.* Feb. 12-15 (E. 593, 9), p. 325.

⁴ Henrietta Maria, apparently so called to distinguish her from Queen Anne, the mother of Louis XIV.

ingham, who is to bring the resolution of the time and place, where Charles Stuart and his brother¹ are to meete here for their conference with her. It is thought here it will be at Pontoise.

XII

LETTER FROM BREMEN ²

Bremen, 9 February, 16⁴⁹₅₀.

16⁴⁹₅₀.
Feb. 9th.

SINCE my last eight dayes past, little hath past in these parts; onely I am to give you notice of an error in my former advice touching Montrosse; for I have notice he is yet in person at Gottenbergh, with some Officers, where they threaten much, and make great boasts what they will doe, as if they had already done it. Tis certaine, that the fourth of January he sent from that place in two shippes two hundred souldiers, besides officers, and his twelve brasse feild peices, and some quantity of armes and ammunition, and these being got to sea, he in person returned againe from the sea-side to Gottenbergh, and is yet there, as I am this weeke informed by a good friend from thence. And it may happen that wee may have him againe in these parts, for here are still some Scottish, English, and Dutch Officers, that waite upon that designe, unto whom he hath also sent some money. This partie are much afraid of an agreement between the Scots and their King; for they say they shall then be undone; concluding that if it come to passe, Montrosse and his partie will be banished, and themselves put to seeke new masters and employment. . . .

The number of Montrosse's souldiers mentioned are reported here very various; some say two hundred; some say five hundred; some twelve hundred. Those sent were shipt in three shippes with one or two convoyers, and I beleeve after much trouble are got to sea; but Montrosse is still in person there.

¹ James, Duke of York, who was, however, left in Jersey.

² *A Brief Relation*, Feb. 19-27 (E. 594, 8), p. 364.

XIII

A BRIEF RELATION ¹*(Extract)*

IF the mindes of men were not forestalled with a prejudice that proceeds more from will and faction than from a cleare and calme understandinge, and hath therefore in it much of a character of the Divine displeasure against them (for, *quos perdere vult Jupiter dementat*), it were not possible that either the now governing partie in Scotland, or those who against their duty, and to their sufficient danger, adhere to them in England, should—against so many manifestations of Providence, in such series of victories against them, and so many discoveries from the idolls themselves whom they worship of their own infidelity and falshood, and aversation to these mens interests—still espouse that quarrell, and pursue that poynt which they cannot arrive at without inevitable ruine.

There hath been many hints given them of what they will feelee; what hath been spoken in closets, hath been printed to the world; it hath not been hitherto believed, because perhaps it is by a penne that means not to flatter them; they have sometime been told their faults as well as their danger. They had no reason to doubt the truth of the one, because it was accompanied with the other, which they cannot but know to be perfectly true, or if they doe not, all men else who know them doe.

And although perhaps without the skill of divination, he that hath observed the passages of Providence, both at home and abroad for some yeares past, and bringing the whole at once into his view and contemplation, might be able to give a judgement of things future very neere the truth, and to præ-ominate sad things to some places and persons neere of kin to certaintie, and therefore forbear to give more warning by discovery, when tis probable there will be no use made of it:—the divine decree being ready to bring forth when backsliders in heart shall be filled with their own wayes; and hypocrisie shall

1649.
Feb. 19.
March 1.

¹ Feb. 12-19 (E. 593, 14), p. 337.

make the bundles of its owne rods. Yet perhaps some may be thereby informed of what they know not, and that the rest may not open their mouths, when what others see imminent shall be fallen upon them. I shall this weeke publish here in England what hath been publiquely printed in French at Paris, namely, two letters from Charles Stuart, eldest Sonne to the late King, written from Jersey; one, the fifteenth of January, to the Committee of Estates of Scotland; the other, the thirtieth of the same moneth, to Montrosse.¹

The publishing of which letters, specially that to Montrosse, must needs be looked upon as a speciall providence of God. There is in it so little of common prudence as to his interest, which he seemes to hold out while he propounds to treat; it being that which in all reason of State and prudence he ought not to have written at all, but to have sent it from his own mouth to Montrosse his eare by the entermise of a closest confident, or if it must needs be written, to have done it with all imaginable secrecy; for as it is (unlesse the governing partie in Scotland and their adherents here lie under an immutable decree of ruine), it is impossible but he must have lost all that partie, and must put the pursuance of his interest upon his father's old malignant partie, who, perhaps, after so much smart and sufferings, are now grown wiser, especially so long as the memory of their compositions last; but all the new Malignants, *jure divino*, will see that by the opinions at Jersey their sinnes are greater than will be forgiven; onely 'tis in their power, if they will, that they may never be punished. Besides these printed French copies, I received also from Rouen, from my correspondent there, a copie of that letter to Montrosse, written in a dialect so fully Scottish, that must argue the secretary no Englishman.

What opinion the Royalists at Paris have of this publication, you shall see by an extract of a letter thence concerning the matter in these words:—‘Mr. Wood, who is Montrosse his agent in Paris, hath caused the Prince's Letter to Montrosse

¹ These dates are incorrect. The date of the letter to the Committee is Jan. 11, and of that to Montrose Jan. 12, as given in Carte's *Orig. Letters*, vol. i. pp. 355, 356. The original of the latter, however, in the Montrose charter-chest, is undated.

to be here printed in French by the King's Printer, for which he is generally blamed by most of the Royalists here, as being that which will turne extreamly to the prejudice of the Prince's affaires. And they say that he hath done it partly out of vanitie, thinking it to conduce much to his Lord's honour and greatnesse, as being the principall *appuy* and confident of the Prince, and that it will procure him the greater respect, as the Agent of a person of so great eminency and expectation; and that it is partly out of a malicious designe to hinder the treaty, seeing that the Argylians (from whom, they say, that letter ought with all care to have been concealed) cannot but be extreamly offended at the contents thereof, especially the Ministers who were sufficiently angered already by the Prince his not writing to them at all, in answer to that letter which Windram brought him from them, in which letter they having very much expostulated that he had not returned them an answer upon their first letter sent into Holland, it is thought they will take this iterated contempt very hainously, and be so incensed thereby, that they will run into all extremity, and cause them to breake off the treaty altogether; especially now when they shall see that letter to Montrosse, which cannot now be concealed from them now that it is made publique.

By it they will clearly see how little he is affected to them and to their interest.

And Royalists here cannot hold, especially those who are of Montrosse his faction,¹ that sooner or later the Prince will suppress the present governing party, and all that Kirk interest which hath been so high sett up. And indeed al that know anything of his disposition, know that he hath a great aversation to that Party, however he hath dissembled it, with Libbertoun (so as he is gone away, fast asleep in a fooles paradise), to be able either to serve his turne a little of them, for a present subsistence; or to keepe them drousie till Montrosse (who will not be wanting to improve his little beginnings) can get into some considerable posture.

There are other of the Royalists that are of Montrosse his Party, who doe assure that in all this Wood hath done nothing

¹ Probably it should be 'but that.'

of his owne head, but that he had secret order from Jersey for it.

It having been judged necessary to publish that letter, least the expectation of the Treaty, and the good conclusion thereof, should hinder the people of Scotland from coming in to Montrosse, and from closing with him, for the carrying on of his enterprise; the resolution being certaine that he shall be instrument they will use to obtaine their end, and that this Treaty shall serve for no other purpose but to annoy them, and keepe them from joyning with or seeking help from the Parliament of England till Montrosse shall have taken but a little surer footing, and be but in a posture to give head and beginning to all the licentiated and disobliged Souldiery, the engagers of the yeare 48, and all the rest of his Party, by which they think it facile that he may, and probable that he will, give as great a change to the State of that kingdome as he did formerly, and for these reasons they rather choose to lose the Argylians in Scotland by the discoverie, than the Montrossians by the concealment of their intentions.¹

XIV

LETTER FROM PARIS ²

(*Extract*)

1649.
Feb. 20.
March 2.

THE little Queen is gone this morning for Beauvais, where Charles Stuart is to arrive next Friday.

XV

LETTER FROM BREMEN

(*Extract*)

1649.
Feb. 23.
March 5.

I HAVE notice from Gottenburgh that Montrosse was in Person there, and kept himselfe very private in Macleere's

¹ This is followed by retranslations from Charles's letters to the Scottish Committee of Estates and to Montrose, 'printed in French at Paris by Guillaume Sassier, printer to the King of France.'

² *A Brief Relation*, Feb. 26-March 5 (E. 594, 20), p. 37-8.

³ *Id.* March 12-19 (E. 595, 11), p. 406.

House; his friggot is also there. A report of some English men of warr upon that coast makes them keep in, but his other ships, with officers and Souldiers, are gone, as I formerly advised you.

Those officers which have so long attended upon Montrosses designe there, are now going thence for the Orcades; they have hyred a small vessell of about seventy tuns burthen, with two guns, which onely waites for a faire wind. They are about fifty or sixty officers of all sorts and nations, and some few common souldiers, I beleive not twenty. I hear there is onely Sir Charles Percy, who came lately out of Holland, is to command them; and this is all the force that I can see they are likely to have out of these parts as yet.

From Dantzick I have notice that the Lord Culpepper was advanced so farr on his journey to Muscovia, and went from Dantzick the sixth of February, *stylo veteri*. Sir John Cockram hath had audience at the Polish Court sundry times, and hath much externall respect from the King; whether he hath effected anything is yet unknowne. My correspondent writes me he is not likely to procure anything of moment there; faire words and some small sum of money towards defrayment of his charges will be the most.

XVI

LETTER FROM PARIS ¹

(Extract)

CHARLES Stewart came last Thursday ² about night to Beauvais, where he makes account to stay with his mother till Wednesday next, and then to goe for Breda.

16 $\frac{4}{10}$.
Feb. 27.
March 9.

He hath sent the order of the Garter unto Montrosse, whom the Royallists give out to be arrived in Scotland with six thousand five hundred men, besides the like number that is to follow.

¹ *A Brief Relation*, Feb. 26-March 5 (E 594, 20), p. 383.

² Feb. 21.
March 3.

Notwithstanding these bravadoes, the said Stuart's Court doth despaire of any successe of his treaty with the Scots.

XVII

LETTER FROM PARIS ¹

(*Extract*)

16 $\frac{4}{5}$.
March 1 $\frac{2}{5}$

THE proclaimed King of Scotland will not goe from Beauvais but upon Wednesday next; his going being put off chiefly for want of money, having trusted upon the money promised to him out of Scotland; the Bills of Exchange having doubtlesse been hindered by his letters written with such eagernesse to his tutelary God Montrosse.

XVIII

A BRIEF RELATION ²

(*Extract*)

16 $\frac{4}{5}$.
March 1 $\frac{6}{5}$

FOURTEEN dayes since we gave you two letters from the Prince then at Jersey, one to the Committee of Estates in Scotland, the other to Montrosse; it cannot be imagined but it may be sufficient to discover to the present governing party in Scotland what they may expect from their proclaimed King, and whose interest he meanes to espouse, for carrying on and settling of his owne: and—if a fatall blindness (such as use to precede ruine) be not sealed upon them by the Divine decrees—it might be believed that, now the snare is discovered, they would save themselves and their country from a miserable ruine.

He that shall compare these two letters, though he should make his judgement from no other ground, may easily be informed of a difference in their King's affection to him and to them.

And though he should endeavour to reconcile them, to make

¹ *A Brief Relation*, March 5-12 (E 595, 6), p. 389.

² *Id.* Feb. 26-March 5 (E 594, 20), p. 369.

what advantage he can [for] the present to himselfe of both, yet which way he is like to cast his owne interest in the ballance, a man may be able to divine without consulting an oracle.

Besides, how sincere such a reconciliation is like to be, may easily be conceived by those who know how deeply the parties are engaged, not only in enmity, but in bitterness; and what each of those parties have done to, and suffered by each other in actions while he¹ was in Scotland, and in language both then and since.

For the wiping of their drousie eyes who, not yet very well awake, have dreamt that the Prince, lately at Jersey and now on his journey to Breda, should have so mighty a party in Scotland to assert his pretensions to England, as it might be their prudence to goe on that side as the strongest, and to contribute to the carrying on of that as the prevailing interest; I have thought it necessary to cause to be reprinted Montrosse's Declaration,² and also the Declaration of the Committee of Estates of the Parliament of Scotland, in Vindication of their proceedings, from the aspersions of a scandalous Pamphlett published by that Excommunicate Traytor, James Graham, under the title of a 'Declaration of James Marquisse of Montrosse, etc.' Printed in the year 1649.³ 'Together with a declaration and warning unto all the Members of the Kirke and Kingdome of Scotland, in answer to a paper intituled and reputed the Declaration of James Graham, by the Commission of the general assembly of the Kirke of Scotland, which two last were printed at Edenburgh, by Evan Tyler.⁴ The first sent me out of Holland. The reading and advised weighing those severall Declarations will make it evident, that the feud is unquenchable, and that which party soever submit to a reconciliation doth but leave his adversary the more advantage to ruine him.

And although the governing party in Scotland either have

¹ *i.e.* Montrose.

² A copy, dated at Copenhagen, July 9, 1649, is amongst the *Civil War Tracts*, in the British Museum (E. 569, 2). It is reprinted in *Deeds of Montrose*, p. 267, without the date.

³ *Civil War Tracts* (E. 596, 1).

⁴ A copy is in the British Museum, 113, i. 57.

no great apprehensions of Monrosse, or give it so out for the encouragement of their party, yet if the generall prophanesne of men, and hatred of their yoake, and the disobligation at present put upon such numbers be well considered, and Mon-trosse looked upon, though with no great assistance from abroad (of which he cannot looke for much) yet, armed with powers of command and titles from their King which he will not recall, and being appuyed by his constant and declared affection, will make all this Royall party adhere closely to him, and may put him speedily into a condition, to require reparation of dishonours and damages, and the contest of this quarrell will be necessarily their first worke; and will never be settled but with the extirpation of one of the parties.

And whether the governing party can be able to secure themselves by their own strength is a question: as also whether they be yet so well resolved as to fight with their King's Generalissimo. If that nation be not deeply embroyled in desperate troubles, it must be delivered by a miracle. These Declarations will be out within three or foure dayes, which will be worth reading and comparing. Then tell me how those parties will be agreed, and *eris mihi Magnus Apollo*. Poore Scotland! how art thou muffled, and the things that might produce thy peace hid from thine eyes! But wee have still seene in all those great changes, that no partie hath fal'n but hath been irrationally instrumentall to it.

XIX

LETTER FROM BEAUVAIS ¹

(Extract)

1649.
Feb. 28.
March 10

IN my last from Paris I told you my next should be from Beauvais; accordingly take these as the most material passages here.

The Prince came hither with a resolution to stay but four dayes with his mother, which we beleived not, knowing she would earnestly endeavour his longer continuance. As soon

¹ *A Brief Relation*, March 5-12 (E. 595, 1), p. 393.

as she met him, she made him promise her to stay a full week, even untill this present Thursday,¹ and within a day or two after she prevailed with him to stay till next Monday;² and not content with that she hath obtained of him another addition of time, viz., till Wednesday or Thursday next.³

All these delays and lengthening out of time are onely to give him the deeper impression of her principles and maxims in dissembling with the Scots in present government, and to agree with them upon any tearmes; that he may by that meanes get possession, and a place upon which to set his foot, which being had, a little patience and carefull observation of opportunity, will offer him meanes to free himselfe of them.

She would not have him owne in appearance too openly the Prelaticall party, but remember that his father, by his obstinacy, and want of compliance, split himselfe upon that rock; that if he had granted any termes whatsoever to the Parliament of England, so as to have returned to the Government, he would presently have had a party in the civill power, and in the military also, by a fit temporizing, manage so much his owne, as he might have easily removed all those that stood in his way, and been, within the compasse of one yeare, settled in a greater degree of absolutenesse than ever, and beyond all feare of any new attempts against them: that he must labour to eschew the rock upon which his father split himselfe.

And, by granting the present governing party all they desire, lay their suspicions asleep till he be fully settled.

That his friends in Scotland must also accommodate themselves to the times; and give way to the first *Impetus*.

That there can be no difficulty to carry things there, even by the Parliament itselfe, were he once present. That he represent unto them there, how necessary it is they should lay down their feuds, which serve onely to consume each other.

That he labour to make the Noblemen and Barons unite to preserve their priveledges against any attempts upon them by the people.

That he cause to be represented to them, that otherwise

¹ Feb. 28.
March 10.

² March 14.

³ March 16 or 17.

then by a King they cannot hold what they have against the people.

That, if they should but think of a Commonwealth, the people there would be as free as they are in England.

That it is necessary that their Parliaments therefore be full of the nobility.

That such as have been excluded,¹ may be restored, and that he be especially carefull, that the first Parliament may not sit long, nor doe anything that may discontent the Kirk.

That his party be wrought to submit to the Kirk, and speake nothing of any late differences, which it is easier to make up by silence, and a generall amnesty, then by debates; by this meanes all will be looked upon as agreed, and by such favours and honours as he may bestow, he may draw off so many to his side,—that people being so insatiably desirous of honours and titles, that in the next Parliament he may doe what he please.

That he may take an estimate of his hopes, by what was done by Duke Hamilton in that Parliament by the power of which he raised his army against England.

That he should not yet think of attempting ought against England, till he be settled in Scotland; both for that all the Catholique States, from whom he must especially look for assistance, are at present in no condition to doe anything for him considerable, in regard of the state of their owne affaires; and for that till they see him possest of something, they will think all cast away they shall doe for him.

That he must dissemble his affection to the Roman Religion, till he have such power as to shew it to the advantage of it.

That all endeavours not carryed through weakens.

That she hath given instructions to her Agent at Rome to satisfie them of his ultimate intentions, though he complies with the Presbytery for the present; as a meanes to attaine that end.

These and the like are her maxims, which she would faine instill into him, which I know she hath pressed with all earnestnesse. And the better to perswade him to it, she hath

¹ By the Act of Classes.

promised him, that if he will follow her instructions, she will give him all the money which she obtained at her coming out of Paris, and such other summes as she shall get; her possession and hopes, being about sixteen or eighteen hundred Pistolls; but if he will not hearken to her, he shall never have a penny of it.¹

But notwithstanding all this, we cannot see yet, that the Prince is perswaded to follow her counsell, and to dissemble his affection to Montrosse and his party, but rather that he will never agree with the Argylians, but upon his owne and Montrosse his termes.

The Prince hath lately sent the Order of the Garter to the Earle of Derby, the Earle of Newcastle, and to Duke Hamilton; at which prodigall imparting of that Honour, 'tis thought the Scottish Nation will not be well pleased, and in particular for that it is not also sent to the Marquesse of Huntley,² who perhaps may be thereby much alienated from the Royall Interest.

XX

LORD BYRON TO THE MARQUIS OF ORMOND³

Beauvais, March 11th, 1650.

MAY IT PLEASE YOUR EXCELLENCIE,—The King is now thus farr on his way towards Breda, and hath continued heere these 10 dayes with the Queene. On Wednesday next (which will be the 15 of March accordinge to this still) the King goes on his journey, and the Queene returnes to Paris. They mett with great kindness on both sides, and I hope will part so, and with a full reconcilement of those differences that formerly were betwixt them. I am sure they have both agreed in expressing all imaginable favor and kindness towards my Lady Marquess, which your Excellence will receive so fully from her owne hand, that I shall not neede to give you the trouble of a particular relation. This bearer, Coll. Rawlins, is dispatched expresly to your Excellencie with hopes that hee may come to Breda

1649.
March 11.

¹ This should be compared with the Queen's own letter, No. LXXI.

² Lord Lewis Gordon had succeeded to the title after his father's execution in 1649.

³ *Carte MSS.* ccxiii. fol. 3.

while the Scotch commissioners are there, and bringe a perfect information of the condition of Ireland, which (as wee heare out of Ingland) is so much betterd, that it is hoped it may conduce much to the procuring of better conditions from the Scotts; and I humbly conceive it may bee of greate use and service to your Excellence to send alonge with him some person of that Kingedome, of quality and discretion, to bee a witness of what is transacted at Breda, thereby to prevent those misconstructions which ill affected persons are prone enough to make, and to frustrate their malicious endeavors to poison the Irish with this ill opinion, that an agreement with the Scotts is a desertion of them. I am the apter to beleieve this may bee attempted by others, bycause theire want not some in the King's owne court who are allready layinge the foundation of so pernicious a desseigne. The same persons have by all possible meanes endeavored to render the treaty wee hope for altogether fruitless to the King, which I shall leave to Coll. Rawlins his relation, who is a very discrete gentleman, and a faithfull servant to your Excellence. By a former letter written to Father O'Daly, I give your Excellence an account of some attempts made to your prejudice, but all in vaine; and truly, my Lord, I dare confidently affirme it is not in any bodyes power whatsoever to lessen your Excellence in the least degree in his Majestyes affection and esteeme, the same assurance you may likewise have of the Queenes favor. And though I can not affirme that all this Court are cordially your friends, yett there is not any one hath the impudence to affirme otherwise. Your Excellence will by those dispatches Coll. Rawlins brings receive so full an account of all occurrences heere, and I hope so good satisfaction in what concernes your owne particular, that I shall not neede to give you any further trouble, and am, My Lord, your Excellences most humble and most obliged servant,

JOHN BYRON.

While I was closinge this, letters are come which assure the Kinge that commissioners from Scotland will meete him at the time and place appointed. My Lord of Montrose is not yett in Scotland; I doubt his comminge now would rather doe hurt then good.

XXI

HENRY SEYMOUR TO THE MARQUIS OF ORMOND ¹

MAY ITT PLEASE YOUR EXCELENCE,—Since my last, which miscaried in the dispatch his Majestie made to you, I have not till this present mett with an oportunity of giving you an account of those commands you charged me with never since my arivall; which was soe seasonable as to interrupt the breach with the Scots, which was in a very forward way of effecting, proceeding from the misinformation of your suckcesses in Ireland, they having remained heare in a long ignorance of all passages in that Kingdom till your trewer representation from thence by me not only changd that designe, but gave a dispatch in two days to Mr. Windram, the Scots commissioner, which he had in vaine solicited six weekes before without the least advance. Her Majestie, and those that make ther application by her, give great hopes of a suckcesfull issew from this treaty, which his Majestie is now in persuance off within six dayes jorny of Breda, which is the place appoynted the 25 of March new stile [etc.].—Your Excellence, in beleiving me your most humble and most faithfull servant,

1649.
March 15.

HEN. SEYMOUR.

From Boues,² in our way to Breda, the 15 of March 1649.

XXII

LORD HOPTON TO THE MARQUIS OF ORMOND ³

(*Extract*)

MARQUIS MONTROSE is certaynly gonn to Gotenburg towards Orkney, and so for Scotland; he sett sayle about the tenth or twelf of January, and sent 4 shipps with men and amunition thither the 4 of January, which was suposed to be there in 4 dayes after, the weather was so good. This much, besides

1649.
March 15.

¹ Carte MSS. ccxiii. fol. 12.

² Beauvais.

³ Carte MSS. ccxiii. fol. 9.

what he sent before to Orkney att two severall times, I am very confident of; but here are letters from good hands that say he is landed in Scotland, and advanced as farr as Murrayland, which is not att all vnprobable. The King's day to move hence is to-morrow, vnless horses and coaches that he expects this day from Rouen retard him. We have yet no certaynty out of Scotland whither these commissioners be coming, and less what the issue will be of that treaty. I am confident the King will bring to it very good affections, and very well tempred; if they do the like all be well. My very good Lord, I must in the last place humbly thanke your Excellance for old Capt. Yonger, that in so hard times you have beene pleasd to make the poore man subsist; he was in the beginning of this warr sent by the last Prince of Orange to the King to be Controllor of his first trayne, and in that imployment I found him allwayes very able and very honest. I have no more att present, but remayne, My Lord, your Excellences most humble and faythfull servant,

RALPH HOPTON.

Beavays, Mar. 15, 1650. Still no.

[*Indorsed*—L^d Hopton's, 5 Mar., } 1650.
 Rec. 9 July,

By Mr. Rawlings.

XXIII

A LETTER FROM BEAUVAIS ¹*Beauvais, 5 Martii, stylo veteri, 16 $\frac{4}{5}$.*

16 $\frac{4}{5}$.
 March 1 $\frac{1}{5}$.

THE Queene goes hence to Paris to morrow; at what time it is resolved that wee shall goe also onward of our journey to Holland. During all the time that the Prince and she hath been at Beauvais, being a fortnight, they have both of them lodged in one house (which was lent them by one of the Cannons of that Cathedrall) and both eaten at one table. The Prince hath shewed not onely to his mother, but even to Jermin also, very great respect. And although he hath taken the Govern-

¹ *A Brief Relation*, March 12-19, 16 $\frac{4}{5}$, (E. 595, 11), p. 401.

ment of Jersey from him, which he hath conferred on the Duke of Yorke, yet he hath promised to recompense him out of the Admiraltie, excusing the thing from necessitie, it being not convenient that any other should command the Island so long as the Duke is there.

And he hath also done it to lay some obligation on the Duke to continue in the Island, where indeed he is no better than a prisoner to his brother's jealousy, which is very great toward him. Before our coming from thence, he gave Sir George Carteret¹ (in whom he reposeth very great trust) a very great charge to have a very strict eye, but withall secretly, over his person and actions, very much fearing that being very active and of a stirring nature and good parts, and withall being more plausible, may be like enough at one time or other to create him trouble enough.

The Queene laboured with all her might to dispose the Prince to an agreement with the Scotts upon any termes, insisting upon all her maxims, which I gave you an account of in my last, and that he should not refuse the Covenant, nor anything else that they shall peremptorily insist on. And hath especially represēted unto him the many opportunities his father lost (whereby he might easily have set his foot on the neck of all his enemies) by not accommodating himselfe to the state and condition of times and affaires, and yeelding to such propositions as were offered to him, but that he was carried on with a fatall obstinacy, rather being obedient to the wilfulness of his own nature, than steering his course by such rules of prudence as Princes that will be absolute and happy in their Government ought to direct themselves by. That he should beware of the like, and take Counsell of her, whose affection as being his mother must needs be more, and her care of him greater than he can expect from any other who counsell him and serve him but to serve their own interests by him. Besides, that the troublesome state of life that she hath had for these ten last yeares hath given her some experience in affaires.

That he must not now be led by his Councillors, but by

¹ Governor of Jersey.

his own interest and truly regall maximes, that though he heares what they propound, yet he must now resolve by his owne judgement. That when he cannot find a way to his end that is plaine and common, he must make any way.

That as he never sees it practised among Princes, so he must not thinke it necessary to keepe any treaties or stipulations, farther than they serve his ends.

That by leaving some things ambiguous, and putting off others to be treated at some other time and place, time will be thereby gained, and affaires will alter, and an hundred occasions will offer themselves, if he waite for them, upon which he may successfully alter his course, and obtaine with a little patience what he propounds.

But the Montrossians thinke there is no need of this; they tell that the way of force is more certaine and more honourable; that there is no need of such *ambages*;—that their Army is but small, and not well assured to them, nor they well satisfied of it;—that David Leslie will be theirs when he hath a fit opportunitie;—that all their gallant men were in the Expedition with Duke Hamilton, and are since disgraced and disoblighd;—that all men almost are weary of their Kirke-yoake, except a few superstitious persons;—that so soone as Montrosse shall march southward, he will have a very considerable body of an army by a confluenc to him of all his Majesties friends and all the disoblighd partie;—that he shall be in as good a Condition, and better, than he was when once before he had gained that whole Kingdome for the King his father, and had kept it too, had it not been for the treason of some who printed to the world;¹—that his Majesties presence will extreemly both encrease and unite his Army;—that the Scotts will not now have a reserve as they had before, when they had a great Army on foote in England in their service and pay with the Cavalrie, whereof Montrosse was defeated at Philipshaugh, who were treacherously wrought upon by some whom he trusted, and who professed to the Kings friends;—that in case his Majestie thinks he shall want men, he may give order to have the Irish transported thither, the affaire of Ireland being desperate;

¹ Something appears to have been omitted here.

—that if the warre be well managed, the whole work will be easie ;—that if he give their forces but one blow in the field, himselfe being in Scotland, he may presently call a Parliament, the sole power to doe it being unquestionably in himselfe, which he may assure himselfe will be both full and of such a composure as will be very fit for his service ;—that it is not probable they will have any helpe from the sectaries of England, whom they have so much inveighed against, notwithstanding they put them into the power they now exercise.

And these arguments they urge with the more vehemencie, because they know that if the Prince agree with the Argylians some or other of them will be sacrificed for the peace-offering.

And if it be upon termes for them, yet it will be much longer before they can come to their end, who this other way by force and a following Parliament, they promise to themselves infallibly to arrive to this Summer.

They add this one argument more, all the North and Fort-places are sure to their interest, that there are beside Edinburgh Castle, few places or none defensible, that the rest is an open countrey upon ¹ the victor will quarter, and they will have no meanes to raise a new army.

These are the discourses that have runne amongst on both sides, while we have been here.

And the Prince hath caryed himselfe with a great deal of seeming indifferencie, and hath not yet declared to any of our observations which way he most inclines, and to avoid any discovery of himselfe about it, he hath not called his Counsel together all the time he hath been here : but the Montrossians doe firmly believe that he is the same he hath been, even wholly theirs, and bent firmly to the way of force and invasion, and that nothing shall make him alter his course, or bring him to agree with the governing party, but the miscarriage of Montrosse his enterprise, which they here do not at all apprehend, firmly believing that he is already in Scotland with a considerable Army, but for this they have no other ground than Letters from Holland and Hamburg, but the Letters from Edinburgh of the 19 February are silent of it,

¹ 'which' omitted.

and Crofts hath written from Holland to Jermyn that Montrosse was for certaine still in Denmarke or Sweden, and had no more with him than three hundred Gentlemen.

Many thinke there will be no treaty at all, but Sir William Flemming and Sir Tho. Dishington, who are newly come from Holland to Endenburgh, affirme the contrary, but say it cannot be so soone as was appointed; because the Parliament of Scotland, which sat not till the $\frac{5}{15}$ of March, was to sit before their comming away.

But the Montrossians with great confidence affirme that whether the Prince meet with any Commissioners in Holland or not, he will not stay there above eight or ten dayes, but goe directly for Scotland, to be at the head of Montrosse his forces, and that Duke Hamilton, with the whole number of his followers, will wait on him thither, it being certaine that the Duke hath severall times of late written to the Duke¹ to that purpose, professing that he will be content to trayle a pike or ride a private trooper under him.

But the wisest here thinke that those letters are only sent to get him credit with the Prince, and that he may have his eare the more open to receive those counsels which he shall give him for agreeing with the Argylians, with the lesse suspicion, and so the more force upon him, when they shall meet in Holland; but others yet thinke that he speaks as he means, that his not complying hitherto with Montrosse was not from disaffection to the Prince's service, but merely out of emulation as scorning to be under him, which difficulty will easily cease when the Prince himselfe shall be in Scotland.

We goe hence tomorrow. If wee stay any time at Bruxels you shall from thence heare from me if I shall learne any thing upon the way worth your notice, otherwise you shall stay till our arrivall at Breda.

¹ Is this a mistake for 'the Marquis'? In December 1648, it was said that Hamilton, then Earl of Lanark, had expressed his willingness to 'be a sergeant under Montrose.'—*Clarendon State Papers*, vol. ii. p. 460.

XXIV

HENRY SEYMOUR TO THE MARQUIS OF ORMOND ¹

MAY IT PLEASE YOUR EXCELENCE,—I had forgot in my letter to advertise you that the Parliment had landed five hundred men att Garnsey: the engagement ² is more pressed then ever in England, sequestration to follow the refusors; and itt is advertised from very good hand a massacar is much feared, by a secret preparation of darke lanthornes and other materials proper for soe divilish a designe. If the Scots doe not meet at Breda, of which ther is a rumour, or, if the treaty succeed not, his Majestie is resolved to loose noe more time in idlenes, and therefore must either goe to you, or to my Lord Montrosse into Scotland: his owne inclinations leane to the first, but a powerfull intrest howery presses the other whose game lies another way.—I am, Your Excelency's, most humble and most faithfull servant,

1643
March 16

H. SEYMOUR.

Boves, ³ the 16 March.

XXV

LETTER FROM ROUEN ⁴

Rouen, 16 March 1649.

SIR,—Partly to satisfie your request and partly my own curiosity, I went to Beauvais to see the interview of the Prince and his mother, and to see what face of a Court there was; as to my selfe I had full satisfaction from my view, and so I thinke any looker on would have had, and, if these be still the counsellours and that the company, a man that is no witch may foretell the issue; the discourses, counsels, projections, and hopes speake such ridiculous follies, and such extream debauchery is amongst them, that you will hardly believe the relation: I

1643
March 16

¹ *Carte MSS.* ccxiii. fol. 14.

² To be faithful to the Government as constituted without King or House of Lords.

³ *i.e.* Beauvais.

⁴ *A Brief Relation*, March 19-26 (E 597, I), p. 431. This letter is not from the regular correspondent who accompanied Charles to Breda.

shall not trouble you with it. The division still continues in their counsels between the Queen and Jermin's party and the Montrossians; but the Prince doth not openly declare which way he will take, though it is generally believed he is for Montrosse, having a naturall inclination to him, yet sometimes he seemes to give slight hopes to the other party, but propounds withall some difficulties, as that, if he should agree with them, he thinks it not safe to goe among them, unlesse some of the prime men's children be sent as hostages to be kept in some safe place for his security; for he is very much afraid of them, and hath no disposition to trust them: and tis certaine that feare of his will keepe him awake, and if he doe come in by agreement, he will never rest assured of them till he be absolute master. He also makes difficulty to call in Montrosse his commission, or to cause him to lay downe armes, untill he shall be full settled in his throne; and this gives a great jealousie to the other party, fearing that if that party continue in arms, he will make use of them to their prejudice.

But 'tis certaine the Queene pressed on her counsels of agreeing with the Argylians upon any termes,¹ to the last of her staying there. She was shut up privately with him immediately before her taking coach three whole houres, and nobody was by but only Secretary Nicholas. The Queene looked very red with anger when she came forth, and seemed much unsatisfied: they seemed to me to part but coldly, for when the Prince had put her into his Coach, he did not stay one moment with her, but came presently away from her.

At this manner of parting, those that are of the party of Montrosse seemed very joyfull, and doe take their measures thence, that he will goe that way, and that if his mother hath not been able to change him, they doe not much feare the Prince of Orange will be able to doe it.

That he² cannot have much influence from him by reason

¹ That this is exaggerated appears from the extract from Sir J. Berkeley's letter, of which an extract is given at page 69, note 2, and from the Queen's own letter (No. LXXI). The truth is that the Queen urged her son to come to terms with the Scots, but only if he was allowed to escape from taking the Covenant, and from sacrificing the Roman Catholics in Ireland and the Cavaliers in England.

² *i.e.* They think that the Prince of Orange, etc.

that he cannot helpe him either with money or men, his own estate is much weakened by his royall marriage, and he cannot be able to engage the States, where his power is like to be every day less then other: and 'tis certaine, that in Denmark, Sweden, and Germany, Montrosse will be able to doe more than all the Argylians. But all the newes I can learne that they have here of Montrosse is, that by letters of the 13 of Feb. from Gottenburgh, he was yet there, but ready to set saile with the first winde,¹ his cannon and ammunition being gone before: but they say he hath got more assistance from the Queene of Sweden than he hoped for. I left the Prince at Beauvais, and I heare he stayed there three or foure dayes after his mother went thence.

XXVI

LETTER FROM PARIS ²

(Extract)

THE proclaimed King of Scotland went from Beauvais last Wednesday³ for Breda, his mother was come back to the Louvre the day before; he hath shewed her great respect but not so much trust as she wished. Mr. Jermin⁴ is likewise returned to Paris; neither the one nor the other knows what shal be the event of their treaty with the Scots. They have approved of the publishing of the letters the said proclaimed King had written both into Scotland and to Montrosse,⁵ and now they do very much repent of it; though they not at all alter their opinion that it will not be the respect, but the only feare of the preparatives and arming of the said Montrosse, which shall oblige Scotland to send some commissioners to the said Breda.

1643.
March 1⁹

¹ Compare Ribbing's letters of Feb. 12 and 28. — *Deeds of Montrose*, pp. 514, 515.

² *A Brief Relation*, March 12-19 (E 595, 11), p. 416.

³ March 1⁶.

⁴ The writer being a Parliamentaryman does not acknowledge a peerage conferred after the abstraction of the Great Seal in 1642.

⁵ See No. XIII.

XXVII

LETTER FROM PARIS ¹*(Extract)**Paris, $\frac{19}{9}$ Martii, 16 $\frac{49}{50}$.*16 $\frac{49}{50}$.
March $\frac{19}{10}$.

MASTER WOOD, Montrosse his Agent here,² being very angry with Jermin, for not having kept what he had promised to Montrosse in Holland, of being his friend and favouring his designes, hath spoken very opprobriously of him of late, since he hath so openly declared himselfe for the treaty; taking for a ground of his revilings, both the aforesaid breach of faith in Jermin, and his having intercepted heretofore some letters of Montrosses; this being come to the Queene's eares, shee hath made very heavy complaints of him to the Prince, saying, that he was worthy to be hanged for his slanders, and to make him the more hateful to the Prince, shee hath aggravated the printing of his two letters, that to Montrosse, and that to the Committee of Estates, as a hainous crime against him; whereupon the Prince having sent for him, he went downe on Wednesday last, for to overtake him on his way into Flanders; it being beleevved that the Prince, for to pleasure his mother, will not let him come back to Paris, but carry him along with him into Holland.

XXVIII

LETTER FROM GHENT ³*Ghendt, 14 Martii, stylo veteri, 16 $\frac{49}{50}$.*16 $\frac{49}{50}$.
March $\frac{14}{11}$.

By my last from Beauvais,⁴ I told you, you should expect no more Letters from me till we came to Breda, unlesse wee made any stay at Bruxels, but now we shall not take that in our way for ought I yet know: but I cannot omit to informe you of

¹ *A Brief Relation*, March 12-19 (E. 595, 11), p. 411.² See No. XIII.³ *A Brief Relation*, March 19-26 (E. 567, 1), p. 417.⁴ See No. XXIII.

some passages here at Ghendt, that you may judge what a rare company we are, and how welcome wee come, and what a way we have to oblige all men.

The truth is, there was never poore Prince so fitted with counsellours and company ; he hath such with him, as, if he will be ruled by them, are able sooner to lose him ten kingdomes (if he had them) than to recover him one.

On Wednesday 13th inst.,¹ we came to this town, whether some had been sent before to take up lodgings ; there made their addresse to the Governour of the castle, to desire him to appoint them lodgings. His answer was, that, for his part, he had nothing to doe with towne, but if he would take up his lodgings in the castle, it should bee at his service.

But that they refused, and made their application to the lords of the towne, to know if they would appoint him lodgings, their answer was that there were many good inns in the towne, and they might make their owne choice of which they pleased, a thing they might have done without their direction, but that being all they would doe, they tooke up the inne, the Golden Apple, being one of the best in the towne.

To which place the Prince came about three of the clock the same day, extreemly discontent at the affront, and the discontent was not conceal'd ; indeed, the slight was very great, but it had not been so much, if it had not been so much owned ; but we are all for violences, and, for ought I see, shall never learne to accommodate.

The Prince would not be visited by any ; some of us that are but lookers on, can but wonder at the pollicie, to disoblige all where he comes, having so much need of all as he hath, but nothing will divert him from obedience to his genius. After he had been awhile there, he went in his coach to the English Nunnerie, to visit those *devotæ*, and returned to his lodgings.

There was a great flocking of the common people in the streets to see him, but no acclamations, only a silent looking on, and there was no great admiration exprest. When he was returned to his lodgings, the lords of the towne came to give him a visit, but he would not be spoken with : they intimated

¹ March $\frac{13}{23}$.

that it was a custome there, when any Prince came to their towne, to present him with wine, and they desired to know whether he would accept it in money, or not, towards his charges, which he refused with a great deal of indignation ; but the good men meant well, knowing our treasure was low enough, and the truth is, a great part of our company have enough to doe to get meanes for their journey.

But, however, they sent in a pipe of Rhenish wines, which was welcome to the crew of his followers, and served to drinke care away, and a great number of their wits also ; and then, to teach them to give wine againe to such a crew, they sufficiently abused the people of the towne, which the magistrates tooke for a great affront, and indeed our croud were in so gallant a temper, that I should be sorry the Flemings should take their measures of our nation by their debauched and drunken behaviour ; but, however, when the reckoning came in, that was judged to have as much excess as our drinke. 'Twas in all eighteene hundred gilders, that is about an hundred and eighty pounds English. The totall pleased not, and a great adoe there was to get a bill, but they were even with our petulant crew for their abuses ; they found them saucie fellows in their drinke, and they put in for sauce accordingly two hundred gilders for salt, vinegar, and butter.

This was owned as an intolerable abuse, and complained on, but no redresse to be had, the same must be paid for as well as the rest.

But could we but have sworn and cursed in Walloon or Dutch, as well as in English, the Flemings should have heard how we devoted them to the devill.

About an houre since,¹ the Prince and his company tooke boate for Breda. My selfe and some others goe by land : wee shall meet him there.

All that I can discover is, that the Prince is extreemely discontented, and all that are about him are whol against his complayance with the Scots. Wee conceive the impressions at Beauvais did not take much with him. But wee shall soone discover at Breda, whether he will temporise with the Scots, or

¹ March $\frac{1}{2}$.

close with Montrosse; to this latter I can assure you his owne inclination stands full, and of all our brave company, there are very few if any for the other party. If he doth agree with the Scots, he must leave all these followers behind, which it will be hard to doe, they having so great a power over him. I will stay at Breda till the end of the treaty: of what is done there you shall not faile by the post, but that finished, I shall leave this crew of desperadoes, being very weary as all men else are of their company, and returne home when I shall give you an account of some things and persons of which I will not now write.

XXIX 1389452

LETTER FROM ELSINORE ¹

(Extract)

Elsinore, 14 March, 16 $\frac{4}{5}$ ⁹.

I CAME to this the tenth instant. All things here and at Copenhagen very quiet, not any stirring at all; the Lord Culpepper is past through this Country very privately,² would scarce be known. Montrosse is at Bergen in Norway. He hath there with him some Armes that were given him by the Queen of Sweden: he hath sent about five hundred men to Orkney. Hee stayes at Bergen for some officers and men that he left at Hamburg, the number I know not, but I heare it is not great, but they are in such a condition as they cannot stirre without money to pay the debt they owe there, where for want thereof they are in little better condition than that of prisoners. 'Tis said here that Sir John Cockrame hath been with the King of Poland, and hath received some moneys both there and also at Dantzic; he is expected dayly to come through these parts to Hamburg, to put those men at liberty to goe to Orkney with all speed. 'Tis certainly reported here, that if Montrosse could but dispatch and get any considerable force into Scotland, that the treaty that now is, or is to be at Breda, would come to nothing; for their King will not agree with the Scots

16 $\frac{4}{5}$ ⁹.
March $\frac{1}{4}$.¹ *A Brief Relation*, April 9-16 (F. 598, 6), p. 472.² On a mission to Russia to recover money lent by James I. to the Tzar,

Commissioners if Montrosse can but put himselfe into a posture to give a beginning to things in Scotland. I cannot heare in this place, that any great matter is stirring in Sweden. General King¹ hath been there a great while without prevailing anything. The Queene is there shortly to be crowned.

The agent of Montrosse, who hath been sent to Livonia, Courland and Lithannia, is come backe with very little comfort.

XXX

MEMORIAL BY COL. KEANE²

1648
March 18th?

S^r NICHOLAS CRISPE, S^r P. Pinder, S^r George Stroud, S^r Charles Dallison, and many other their friendes and the Kinge's faithfull and loyall subiects humbly tender their alliegeance and offer their service to his Maiesty. They will concurre in all thinges to the aduance of the Kinge's businesse with hazard of lifes and fortunes. They humbly approue of his choyse and constancy to the Ma. of Montrosse. They preferre a vnion with him rather then with the contrarie faction, if they must bee deuided. They humbly beesech his Ma^{ty} to haue a great care whom hee trusts, and feare hee hath some ill ministers about him, though they name not any. They conceiue it absolutely necessarie to vse all possible dispatch in his affaires whilst the affections of the whole Kingdome are so well inclined to him. They desire to know whether they may repose any trust in M^r Jhon Ashbounham, who insinuates him selfe much into their companye and businesse. They propose as very pertinent to his present and future occasions to haue some able and honest agent in London athorised by his Maiesty to agitate his businesse with them and others, which may bee a meanes to procure much mony and other assistance to him. They humbly referre to his Maiesty what hee is to doe with his Catholique subiects. In their opinion they conceiue it verry necessarie that they haue some priuate assurance from him of a future liberty of conscience if God shall restore him, and the like to some

¹ Lord Eythin.

² *State Papers Domestic, Interregnum*, vol. ix. No. 9. The date given in the calendar of March 18 is that on which the memorial was received.

Catholique Prince in their beehalfe. They proposed some continuance to haue beene allowed for taking the engagement,¹ but that will bee now awnswered to late, the day being passd as to the banishment, though the last day giuen bee not till the fourteenth of Aprill, after which day all are outlawed who shall take it.² If the King order any thing heerin, then to giue some assurance of it vnder his hand for their better satisfaction who must necessarily take it for their preseruacion in order to his seruice.

S^r Jhon Arundell of Lanherne and Coll. Richard Arundell, after their due alliegeance tendered, humbly desire S^r Richard Greenfield³ may bee sent with all convenient speed with 1000 foote and armes for them and 300 horse, 40 barrells of powder and other amunition proportionable and a fortnight's pay to the Isle of Silly, and they vndertake, this being graunted—noe army of the enemyes lying vpon or neere to them, and the King or any army for him appearing in any part of England—to effect his landing with theese men, etc. in Cornewall, to rayse and arme 3000 foote, to seize on some considerable places of strength in their county, in one months time after his landing to setle and secure it for the King, and then to march with 3000 foote and 200 horse wheresomeuer his Maiestyes affaires requires, and to pay them out of the contributions of their owne county. They propose S^r Richard Greenfield as the most fitt for this seruice, and without whome they can not vndertake the particulars, and if his Ma^{ty} so thinke fitt, they conceiue him worthiest of the Lieutenant Generall's place vnder the Marquis of Hartford, whom aboue all others they desire to haue for their Generall as most proper for his Ma^{tyes} interest. For themselves they only desire each of them the Commaunde of a Regiment.

M^r Huntington Cornu⁴ vndertakes 200 horse for this seruice.

¹ The engagement to be faithful to the Commonwealth without King or House of Lords.

² By the Act passed on February 23, the time for taking the engagement was extended to March 25, and the Commissioners of the Great Seal were to make returns on April 10. I suppose outlawry would follow in four days, but the Act contains nothing about this.

³ *i.e.* Sir Richard Grenville.

⁴ Possibly a pseudonym. The name is incorrectly given as Corney in the calendar of *Domestic State Papers*.

Hee promises a speedie account and list of all the enemyes forces in England, and their seuerall quarters and motions. Hee is now endeououring to bring in the leuelling party and hopes to effect it. Hee humbly desires as great a concealment as possible may bee of him and his actions. Hee had certaine notice of 1000 horse in Hampshire, 2000 foote in Dorset: and in Somerset and Deuon, in each as many listed for his Ma. seruice. In all those westerne partes they disobey all orders and cõmaundes of the Parliament and generally preach and cry vpp his M^{tyes} interest, and name themselves the royall party.

My Lord Shresbery, Mountagu, and all other Catholiques, nobility and gentry, assure the King of their faitfull alliegeance and duty, humbly desire a mitigation of the seuerity of the lawes against them, if God shall restore him, to which they will concurre with hazard of lifes and fortunes.

[Indorsed]

R[eceived]: $\frac{18}{28}^o$ Martij 16 $\frac{49}{50}$.

Mr Keanes Mem^l.

[That they] induce [the] levellers to declare speedily ag^t [the] pesent Gouenem^t and Councell of State and [the] parliament as [as 'tis now] constituted, to proclayme [the] P. [?] as [they] thinke best.¹

XXXI

WARRANT TO SIR EDW. NICHOLAS²

CHARLES R.

16 $\frac{49}{50}$.
March $\frac{19}{28}$.

Our will and cõmand is that you forthwith prepare for Our signature a Cōmission to passe Our Privy Signet, directed to Our Right trusty and welbeloued the Lord Eythin, constituting and appoynting him to be Our Lieutenant Generall vnder Our Right trusty and entirely beloued Cosen James Marquis of Montrosse; And that, as soone as it shall be signed by Vs you affixe to it Our Privy Signet. Hereof We will that you faile not, and for your soe doing this shalbe your sufficient

¹ In the handwriting of secretary Nicholas. The words in brackets are substituted for Nicholas's shorthand.

² *State Papers Domestic, Interregnum*, vol. ix. No. 10.

warrant. Giuen at Our Court at Breda the 29th Day of March in the second yeare of Our Raigne 1650 new stile.

To Our Right trusty and welbeloued
councillor S^r Edward Nicholar, Kn^t

XXXII

WARRANT TO S^R EDW. NICHOLAS ¹

CHARLES R.

Our will and pleasure is, that you prepare a Commission, Constituting Our Right trusty and welbeloued James Lord Eythin to be Lieutenant Generall, vnder Our Right trusty and entirely beloued Cousen James Marques of Montrose, of Our armyes and forces vnder the Command of the said Marques, and giueing him the said James Lord Eythin authority to putt in execution all the powers granted to the said Marques, according to such Orders and directions as shall be giuen him by the said Marques; And for so doing this shall be yo^r Warrant. Giuen at Breda the 30th day of March 1650 new stile.

16 $\frac{4}{5}$.
March $\frac{20}{30}$

To Our Right trusty and wellbeloued Councill^r
S^r Edward Nicholas, Kn^t.

[Indorsed] 29^o Martij 1650.

His Ma^{ts} Warr^t to me to prepare a Comission
for Generall King.²

XXXIII

LETTER FROM BRED A ³

(Extract)

March $\frac{20}{30}$.—Letter directed thus—For my worthy friend, James Devison, Merchant in Edinburgh.

THE King did ride through Bergen up Zoom on Saturday the $\frac{16}{26}$ of March, wher the Scotch Commissioners had beene

16 $\frac{4}{5}$.
March $\frac{20}{30}$

¹ *State Papers Domestic, Interregnum*, vol. ix. No. 12.

² In Nicholas's handwriting. The warrant of March 19 was apparently cancelled in order to provide for the case of Eythin's being separated from Montrose.

³ A *Brief Relation*, March 26-April 2 (E. 597, 8), p. 450.

the night before. Both went that night to Breda, the King two or three hours before them, and they did follow. They made their addresse by Generall Rothven,¹ as Chamberlain of the House: on Tuesday the $\frac{19}{29}$ they were received; the Lord Wentworth was appointed to attend them at the utter door, who conveyed them to the Bed-Chamber. The King sent his coach for them. The Earle of Cassilas, for the estate, had a short grave speech, and told the King, the Kingdome of Scotland had sent them againe to attend his Majesty, not supposing by importunities, but by an humble submission hoping to obtaine their just desires at his hands, it being the nature of the lyon and a truly noble minde to be overcome soonest by such a way, and it might for all that have interest in the great Lyon of our tribe, so to deale, counting it their greatest happiness to live under his just yoke of government, but so as his scepter may be subservient to him that's King of all the kings of the earth. This addresse did show to the world their loyalty and constancy, but it was not their purpose to flatter, but to be faithfull and free: if he granted their desire, it might make him happy, and might give them some hope to live in happinesse under the shadow of his government.

One Mr Levinstoun, a preacher, whom they terme a gracious and wise man, had a speech which he delivered with a great deale of freedome, yet it was so well ordered (as they say) that the King and his Court, though they would, could not take any exception at it, the double of it I hope to get you. The King told them he hoped to give them satisfaction, and so, after he had read their letters and coppies of their Commissions, they took their leave for that time.

The Lords Percy, Cleveland, and Wilmot have visited them. There is emulation amongst the Commissioners: the King's councill stands constant and firme, and will sooner breake then bow to an agreement with the Scots: the rest of the English strive who may have the thanks of any service that is done.

D[uke of] York is made Governor of Jersey. The King gave the Lord Jermyn £3000 for it; the Duke is left there and made Admirall, and is to stay for Prince Rupert's navy, who with

¹ Patrick Ruthven, Earl of Brentford.

11 Ships hath bin in Lizbon, and making over his prizes to the Portugais.

Prince Rupert is to be Vice Admirall and Master of the Horse; Langland is a chiefe Captaine in Prince Rupert's Fleete.

The Prince of Orange is at the Hague still; the Scotch Commissioners have sent thither their Conservator to him with some Letters; some say there is a design to remove the treaty to the Hague, for the better injoying the Prince his concurrence, but the Councell withstands it all they can. The Queene of Boheme will not be content to stay away from the treaty; but, if it remaine here, to come to Breda; shee is passionately affected to Montrosse his ends, and will leave no wind unsailed for his effect.

I perceive the Scotch Commissioners make use of the Earle of Lauderdale, he is very studious to doe them all the furtherance and good offices which are in his power. He and Calender and Dunfermling have oft visited them and no other.

The King has made eight Knights of the Garter, two brothers of the Prince Palatine, the Duke Hamilton, Montrosse, and Earle of Derby, etc., dispensing installment at Windsor; but Duke Hamilton received this Honour as Earle of Cambridge, and not as a Scotch Duke.

What effect this Treaty will take I cannot tell you as yet. The King's letter to Montrosse was a true deed, but they would seem to excuse it, and lay the blame on his faithfull Councell which drew it from him as unawares; the King desires not to hear of it, but if they agree it is well.

Many here are sorry that Montrosse should be under such an eclipse, and the hope so great achievements answer'd with so mean successe, farre below their expectation.

XXXIV

LETTER FROM BRED¹

(*Extract*)

From N., 2 April, stylo novo.

THE Prince since his comming to Breda hath been visited by

1643
March 23.
April 2.

¹ *A Brief Relation*, March 26-April 2 (E. 597, 8), p. 450.

the Commissioners, and some Speeches made to him pressing to union with them against the common enemy; since which first interview there have been some meetings, but nothing yet delivered from them, being onely of ceremony and complement and mutuall entertaynments. The letters say further, that they are not so violent in pressing the Covenant, nor in expressing against his party.

XXXV

LETTER FROM BREMEN ¹

(Extract)

Bremen, 26 March.

1650.
March 26,
April 5.

MONTROSSE his frigate with ten guns and forty men is gone from Gottenburgh into Norway to meet him, who is gone thither by land, where he hath also levied some souldiers, but what numbers I cannot yet learne, nor how long he intends to stay there, or to what part he will steere his course from thence. I doe not heare that the Swedes doe anything more in concurring with his designes, nor doe I believe they are in a condition to doe it.

Sir John Cockrame is still at Dantzic. What he hath got in Poland wee yet know not, but if 'twere much wee should heare of it with noyse enough; 'tis said he will be shortly at Hamburg and bring with him five thousand pounds to pay his debts there, which, they say, are very great.

XXXVI

THE MARQUIS OF MONTROSE TO THE KING ²*Kirkwall in Orkney, 26 Mertch, Vet. 1650.*MAY IT PLEASE Y^R MAIESTY.I receaved y^r Ma^s of the 12 of Januar, by M^r May the 23

1650.
March 26,
April 5.

¹ *A Brief Relation*, April 9-16 (E. 598, 6), p. 473.

² *State Papers Domestic, Interregnum*, vol. ix. No. 16.

of this present, togither with that mark of y^r Ma^s fauour wherwithall you heaue beene pleased to honor me, for which I can make y^r Ma^s no other humble acknouledgement, bot with the more alacrity and bensell¹ abandon still my lyfe to search my death for the intrests of y^r Ma^s honor and seruice, with that integrety and clearness as y^r Ma. and all the world shall sei that it is not y^r fortunes in you, bot y^r Ma. in whatsomeuer fortune, that I make sacred to serue. I will not trouble y^r Ma. with particulars by this, being (iff please God) in wery few dayes to send some more eminent persons who shall render y^r Ma. a full account off all; meanetyme iff I may make bold to lett fall to y^r Ma. a part of my humble thoughts it should be my wish and humble desyres y^r Ma. wold be pleased (from all former experiences) to heaue a serious eye (nou at last) upon the too open crafts ar used against you, cheifly in this conjuncture, and that it wold please y^r Ma. to be so just to y^r self, as er you make a resolue upon y^r affaires or y^r person, y^r Ma. may be wysely pleased to heare the zelouse opinion^s of y^r faithfull seruands who heaue nothing in ther hearts, nor before ther eyes, bot the joy of y^r Ma^s prosperity and greattness, which shall be euer the only passion and study off y^r most sacred Maiestyes

Most humble faithfull and most passionatt subiect and
seruand,

MONTROSE.

[*Addressed*] For the King's most sacred Maiesty.

[*Indorsed*]² 26 Martij, the Marq. of Montrose's lre to the King.

XXXVII

LETTER FROM BRED³

Breda, 7 of April, stylo novo.

SIR,—Wee are now come to Breda, where the Scots Commissioners also are. They have given in two papers to the King, one for the signing and establishing the Covenant, and the

1650.
March 28.
Apr. 7.

¹ *i.e.* 'force' or 'vigour.'

² In the handwriting of secretary Nicholas. It therefore appears that the letter reached its destination.

³ *A Brief Relation*, April 2-9 (E. 597, 16), p. 453.

other for confirmation of all acts that have lately passed in Scotland. The answer is not yet given, and it is not yet knowne what the answer will be.

The Prince of Orange was here, and used all the power of perswasion he could to the Scots, that they would reconcile their differences and submit to their King. Their answer was, they would doe their indeavours, and hoped their King would give eare to that good and salutiferous advise that they should give him. You would not wonder if you were here that the Prince of Orange should so earnestly desire his departure thence, for they all live upon his charge; and it is evident that if it were not for the subventions he hath from him, he would not be able to subsist, and the burthen is too great to be long borne.

Those supplies which come from you¹ come not in that measure, nor with that certainty, as can serve the greatnesse and necessity of his present occasions. They have arrested an Irish Captaine of the pyrates at Ostend or Newport (I know not which) for £50,000 they pretend he should pay them, having taken 36 prizes the last summer; but he intends to pay them none, but pleads that he took those prizes by virtue of a Commission from the supreame Councell of Ireland, and that to them he hath accounted, and will account to no other, so they are in that point besides their count. And indeed the Irish doe generally fall from him in their affections, seing him entertayne a treaty with the Covenanting Scots, and being uncertaine of the issue. And this Court begins to fall from the Irish in their hopes, giving up that place as lost to them, by the successes that the Parliament forces have had there. Major Boswell is newly arrived here, having been sent on purpose to observe and bring back the state of affaires there, who reports that all is lost to them, and that the Catholique party hath much betrayed them. This very ill newes puts a great and sad posture upon the face of our Court. And the truth is this ill newes, and the little or no newes that is from Montrosse, may make the Prince change those resolutions that he brought with him out of France (notwithstanding all his

¹ *i.e.* from England.

mother's importunities¹), which was to stand or fall, to be happy or ruined, with the party of Montrosse, for that I have told you is the constant tendency of his owne judgement and inclination. And it is observed that he is rather obedient to the impulse of his genius then to the necessity and love of his interest. He had great hopes therefore of the Irish, for that 'twas possible to have joyned their interests, and by them to have stablished himselfe, but these disappoyntments may compell to an agreement with what is presently offered by the Scots, be it but for a subsistence and to get possession of something: but it is certain he hath as great an aversation to them and their way as ever he had; and that Argyle and his Kirke and Covenanters will be sure quickly to find, if he be once amongst them, let the termes and assurances be what they will, we know they love us as little as we love them, and all these offers are but to serve their turne of the King, and whatever they condescend to they will goe from it againe, and this Court knowes, and means to practice after the same rate, and doubt not but to be beforehand with them in it. By the answer which, I suppose, I may give you by the next, you shall be able to judge whither he will pursue the resolutione which he brought with him from France, which I know from them who know all, that the Montrossians here doe know to have beene that, as he did expect some things to be propounded so high that he might justly demur upon, and thereupon would propound mittigations and expedients such as were not in their power to grant, and therefore would require time to send into Scotland for resolution, that he would thereupon tell them, that to save such expence of time as might be occasioned by the going and returne of their messenger, he would be there himselfe as soon as their messenger, and by and under the protection of the army of Montrosse.² But now he being not so considerable as was expected, perhaps these resolutions will not be practis'd as carrying too much danger. And till practise shewes it, 'twill be hard to judge his resolution; for

¹ See p. 30, n. i.

² This is confirmed by Livingstone's language in a letter to Johnston of Wariston, March 26, April 5 (*Deeds of Montrose*, p. 300), 'It is like the King come to Scotland, whether we agree or not.'

besides that he is naturally of few words, and speakes not much to any, so it will be hard for him to take up a resolution, being so continually besieged by the importunities of both parties of that irreconcilable faction that is in those who are about him : and when anything is done in it, it will be necessity or chance that will steere his course : most lookers on judge his condition but a little removed from desperate.

When wee shall remove hence I yet know not ; I am not come to a resolution whether I shall goe into Scotland with this good company or not ; I thinke rather to stay here, and want of money will serve for something more than a pretence. Besides, I am not willing to meet with your ships, which are much apprehended here, and as oft as wee talke of our journey, will still aske how we shall be safe from them.

We have no hope to practice with any of your men, and they talke here of a great fleet that you will have at sea. Besides, if I should goe with them, I doubt I should not have meanes to write to you, for wee expect so soone as ever the King is come thither, that there will be open warres, and all trade and entercourse of letters cut off, so as I know not how I can give you any further newes. Some that have spoken with the Scots assure mee that if the King please them and sign the Covenant, and satisfie the Kirke, they are there ready, the whole Nation as one man, to invade England ; and they say, that in pursuance of the Act of posture all their Shires are in readiness, and know every man their commanders, and who must rise, so as in three or foure dayes they can be a great army on foote, with which, if they can once get into England, before they meet with opposition, they will then be able to make warre with you upon your own charge, and England shall maintaine both armies : that they will now come in greater numbers than they did last time, for they will come as one man with their King, and you will be sure as long as they are in England their numbers will be sure to be full of those that will come for spoyle. They say also these will come in armed with the blessing and prayers of the Kirke, which Hamilton's army had not, and therefore perished, as they were forewarned they would by the ministers in their preachings, but now, they say, the very ministers themselves will come along with them.

Some things they are much afraid of; one is, that upon Boswell's report to the Court of Cromwell's successes in Ireland, they very much feare that if things goe on as they have done of late there, that the Irish may be so farre beaten, and the few townes of consideration remaining be taken in, that Cromwell should transport himself with a considerable part of his Army from the North of Ireland into the West of Scotland, which they having no shipping are no way able to prevent, which if he shall doe when their army is gone into England, he might over-run all the country, and indeed make a subversion of all, or at least burne and waste the whole country, which they have no meanes to preserve; and of this they are extreemly afraid.

They have also another feare, that, if you have any forces upon your borders, or, which is worse, should with an army march into Scotland, and make that the seat of warre, they feare then they should never be able to hold out, because the South of Scotland is open countrey, and they feare your horse will be more and better than theirs (but of foot they doubt not sufficient) and be able to spoyle and ravage the country, and by keeping them there, they not daring to advance southward of your forces, leaving them in the reare, they will be compelled to live at their owne charge, which their country is in no sort able to beare, especially when your army shall be also there. But they hope to remedy all this by prevention, and to be before hand with you, and therefore so soon as ever they are agreed, and perhaps before it will be publicly knowne, notice of it will be given them. And then you may looke for them forthwith. If you prevent them, you ruine them for ever, if you suffer them to prevent you, they will create you a greater deale of trouble (if not some danger also) at your own charge. These are our discourses here when we are entertaining our leisure over a quart of claret, which I now thought fit to give you an account of at large, because perhaps if I goe along with them still, if we goe for Scotland, it will be secret and sudden to prevent your knowledge of it, and I may not then have time to be large; but if I stay behinde I will then tell you all that we lookers on can be able to observe, or that shall otherwise come to the knowledge of, Sir,

Your, etc,

XXXVIII

ANSWER TO COLONEL KEANE'S PAPER¹

1650.
March 29.
Ap. 8.

It is desired that the persons distrusted and the particulars wherein they betray or disadvantage the King bee named, and the correspondencies they keepe found out. As for any suspected or doubted in England by the King's friends they are to complye or not with them as they can best iudge. The king takes particular notice of their affection and forwardnes in his service, and relies very much on their assistance in being a meanes to suply him with mony, and to doe him other services. It is referred to them what persons to employ in getting monyes, none is thought fitter in all respects then Sr Paule Pindar for a generall treasurer. What monyes may bee gott, to bee returned by bills of exchange to Mr Secretarie Nicholas or any other about his Ma^{ty} whom they shall thinke fitt to confide in. The king engages his word all such somes shall bee employed for his publique services and nothing for any priuate vses. As for the Catholiques all care will bee taken to giue them ease and liberty of conscience. As to the engagement what liberty their consciences shall giue them to doe to preserue themselves for the King's service, their continuing loyall will render acceptable to the King, who will bee sure to recompence their merit.

Particular notice is taken of the affection and forwardnes of Sr Jhon Arundell, and Coll. Richard Arundell, and their intentions and desires very well approued. What they request in order to Sr Richard Greenfield the most part therof is already graunted. Armes and amunition are already designed to Silly for that service. They are earnestly desired to take espetiall care to lay all their designs in fitt time and places, and if there bee a generall concurrence in other countyes to rise and declare all at one time if possible, vnlesse the King shall coummaund otherwise, that they surprize some places of strength, espetially Pendennis and Plimouth, that they keepe a

¹ *State Papers Domestic, Interregnum*, vol. ix. No. 27. Incorrectly calendared under April 8th, old style.

constant correspondence with their neighbour countyes and some other parts more remote. Their owne modest requests graunted.

M^r Hunt. Hastings Cornu¹ desired to send his promised account of the Parliament's army and motions, and to continew all other intelligence, likewise his endeouours of bringing in the Leuellers desired. All industrie to bee vsed to gett some of their ships and seamen to the Kings side.

The businesse of Weymouth to bee prosecuted with all industrie, diligence, and secrecy. Account to bee giuen to M^r Secretarie Nicholas by the name of M^r Charles Siledon by conveyance of M^r Booth from Callis; or by some Dutch merchant to their Correspondents in Holland, or from them to M^r Secretarie.

[*Indorsed*] 8^o April 1650, St. No.
The Aunswere given to
Coll. Keynes his paper.

XXXIX

HENRY MAY TO SECRETARY NICHOLAS ²

March 30, Orkney.

S^R.—Because my lord Montrose intends to send very suddenly extraordinary persons to his Maiesty from Scotland I shall not be so particular with you at this time, but in the generall all things proceede with much expectation, his excellence marches with two thowsand men besides those behinde that are to secure generall King's³ landing, who has beene detained longer then was expected. the importunity of the countrey has beene very extraordinary for our entring, and within two or 3 days at furthest we shall march into Scotland. My lord Huntley, Middleton⁴ are in an howse of my lord

1650.
March 30.
April 9.

¹ See p. 37, note 3.

² *State Papers Domestic, Interregnum*, vol. ix. No. 18. ³ Lord Eythin's.

⁴ 'For Middleton he is so far considerable that if your Ldp will be pleasit to make use of him quhme [whom?] indeed ye will find him willing eneuche to except [accept] it. He can taik of [off] the most pairt of all their horss, to goe along with them any way that he pleases to comand them, bot cheifie in the Kinges service.'—Ogilvie of Powrie to Montrose, March 3, *Deeds of Montrose*, p. 287.

Mareschall's attending his Maiesties' commission. 'Tis conceiud my lord Huntley will be very right, but if he should prooue onely a superficiall friend his name¹ will certainly followe his maiesties interest: I hope y^u haue some good news from my lord Ormond that you may obleige vs here with as good news as wee hope to send you suddenly. pray present my seruice to my lord Hopton, whom I need not trouble with a letter since if he pleases you will shoue him this.—S^r, I am

Your most humble and faithfull seruaunt,

H. MAY.

My lord desires you wud bee pleased to assist this gentleman with your aduice and is much a seruaunt [to you] though he has not acquaintance enough with you to write.

[*Addressed*] For S^r Edward Nichols, Secretary to his Maiestie.

[*Indorsed*] 30^o Martij 1650. M^r Hen. May.

XL

DRAFT OF A LETTER FROM CHARLES II. TO CHRISTINA QUEEN OF SWEDEN ²

1650.
April 1²

MADAME MA SŒUR,—Je suis extremement obligé à Vostre Majesté pour l'assistance favorable qu'il vous a pleu de donner au Marquis de Montrose mon General en Escosse et à son Lieutenant le Baron d'Aithin pour avancer le bien de mon service en ce Royaume là, et vous prie de leur continuer vostre faveur en les secourant autant que vos affaires permettront; ce qui importera grandement à l'avantage de mes affaires en cette conjuncture, veu qu'il n'y a point de cessation accordée, et se trouvera comme j'espere vn motif pour attirer mes sujets d'Escosse á la moderation en ce present traité, lequel j'ay commencé icy avec eux, selon le prudent ávis de Vostre Majesté, et pour tesmoigner combien je desire de terminer les differens qui demeurent entre nous par vne voye pacifique plustost que

¹ The Gordons.

² *State Papers Domestic, Interregnum*, vol. ix. No. 23.

par la violence des armes. Mais leurs demandes se trouvant tant au de lá de toute raison que l'année passée, et l'estat de nos affaires n'ayant pas encore pris vn meilleur ply, il est á doubter que tout ce que je leur puisse accorder en honeur et conscience ne le[s] satisfaira non plus qu'au traité precedent. C'est pourquoy la necessitié me contraindra de pourvoir aux moyens de me fortifier le mieux que je pourray, pour conserver mon droict et me mettre en possession de mes royaumes ; bien que cette resolution ne m'empeschera jamais de m'accorder avec eux pourveu qu'ils se portent á la raison. En quoy j'ay recours á l'aide et conseil de Vostre Majesté et me repose avec plus de confiance sur son amitié que sur aucun autre Prince quelconque, ayant trouvé vostre Majesté plus sensible en ce qui m'importe qu'aucun des anciens Alliés de mes Couronnes.

[*Indorsed*]. $\frac{2}{12}$ April 1650. draft of a lre to y^e
Q. of S. not sent.

XLI

LETTER FROM BREDA ¹

(*Extract*)

Breda, 4 Aprill, stylo vet.

NOTHING is done here since my last in the proceeding in the treaty. The Prince of Orange hath been forced to attend a businesse at the Hague, very nearly concerning him, which is to prevent the cessation ² of the greatest part of the stranger forces, which the States of Holland are all to have done with the other Provinces; that Prince hath more power, and by them hath hitherto hindered it, for hee well knowes, by diminishing the forces, they abate his authority and interest, and they will be able to prevent what the wisest among them have long feared. He is expected here tomorrow, and then 'tis like the treaty will goe on, for the Prince his Privy Councillors, who are for the Scots, or seeme so, are not willing to enter upon it till he come, neither also are the Scottish Commis-

1650.
AP. $\frac{4}{14}$

¹ *A Brief Relation*, April 9-16 (E 598, 6), p. 480.

² Cassation.

sioners, for they hope that Prince will have a powerfull influence upon him (as they perswade themselves, they have an interest in him) for that the Prince¹ must expect supplies from him, and meanes for his transportation into Scotland, and therefore will hardly refuse anything to him; so as he will be the mediator in this treaty. There is no doubt hee will use all his endeavours to sweeten things, and to bring downe the Commissioners of Scotland to as easie termes as may be; and 'tis verily believed they will condescend very farr, especially the Commissioners of the State.

Those of the Kirk will be a little more untractable, because they are sent from principles, whose interest is more in danger then the other; some of the Scottish Commissioners went to Antwerp, some here say it is onely to see it, others that it is to receive five thousand pounds, which they intend to give the Prince, to engratiate themselves the more with him, and to raise thereby his hopes to great matters for the future, if he comes off to them; the money will be very welcome, if he can get it, for I am sure 'tis short here. And for the Commissioners of the Kirk, when the Prince of Orange is come 'tis sayd he will employ one Doctor Rivet,² a French man (who is Cheife of the University here at Breda, and was the Prince of Orange his tutor) to soften them, and make them more yeelding according to the Dutch pattern, which is nothing so rigid as the Scottish. Some of the Ministers went also to Utrecht, to Voetius, to engage him, but 'tis thought he will also endeavour to bring them to an abatement, not out of his own temper, for he is rigid enough, but to please Orange. The ministers doe stand upon pressing the Covenant, both for England and Ireland as well as Scotland (for this latter I make no question it will be granted) that thereby they may still have a party and faction for them in both those Kingdomes. They presse also, that the private devotions of his house, as well as the churches, may be after their Directory.

The truth is, things look yet, so as the wisest here know not yet what judgement to make of the event; 'tis certaine some good news from Montrosse, that he were in any hopefull pos-

¹ Charles II.

² André Rivet.

ture, would soone spoyle the treaty with these Commissioners ; for as I have told you 'tis the Prince's naturall inclination to goe that way, and those who have his eare most are altogether for those resolutions, as being much more conduible to his ultimate ends, whereby he shall come in free and honourably, and as a conqueror, and not be imprisoned in those shackles which these Presbyterians would lay upon him, whom, and all their ways he perfectly hates ; but if there comes not something from Montrosse, that he may rationally promise a successe, then he must, in obedience to necessity, close with them, as well as he can, and expect what time may bring forth to deliver him of his bonds.

Here are also severall discourses of both parties, what to doe with Montrosse, in case he should grow considerable there in Scotland. The Argylians say, that though he be an execrable excommunicate, and anathematized rebell and traytor, yet he may be employed with his forces against the wicked sectaries in Ireland, which they will needs have to be in a condition (especially in the north, where they give out the Parliament forces have been all beaten) very possible to be recovered by his meanes, and that he will be able to give a check to Cromwel's proceedings.

But the Montrossians laugh at this, as if he were to be caught with this chaffe. They give Ireland for perfectly lost, and say that if the King be necessitated to agree with the Argylians, and goe himselfe into Scotland, yet Montrosse may be able to doe his worke for him and he never appeare in it. If he be commanded to lay downe armes and disband, he shall refuse it, and plead want of power to command his men, in respect of want of moneys, and of meanes to transport his strangers back, and require sums of money for it, which they are no way able to supply ; meane time to offer all compliance to the King's commands when he shall be inabled, and so keep the hills and high lands, whither all the Kings freinds, that are his upon his owne interest, may flock unto him, and have secret intimation so to doe, and soone make him numerous enough to be looked upon as very considerable ; and he having the reall favour of the Court, and the other but a dissembled one, will give a turne to the Government, and put it into other

hands, without any great hazzard ; and the Montrossians are so well satisfied and pleased with these hopes, that they say, they are indifferent which way the King takes, being sure enough of his unalterable affection to Montrosse. I suppose next week I shall be able to give you a better account, whether it proceeds or whether it breaks off: if it breaks off, 'twill be presently visible, if it goes on, it may perhaps be in the dark, and be finished some time, before they will give it out, that they may be aforehand with you for the issue, and consequence of that agreement will be their invasion of England.

Those who are in quality of Privy Counsellours are the Duke of Buckingham, Duke Hamilton, Earle of Newcastle, Brainford, Hopton, Nicholas, and Long. These sat in Councell this last weeke. Of these Hopton and Nicholas are against Scots, the rest for them.

Woldomor the son of the late King of Denmark by a second wife ¹ is here, and many Colonells, Captaines, and officers of high Dutch to offer service, but here wants wherewith to encourage them.

XLII

NEWS FROM A VESSEL AT SEA ²

(*Extract*)

From aboard the 'Recoverie' before Humber, 7 April, 1650.

1650.
Ap. 17.

WE are certified that the said Ship coming to an Anchor to full water at one of the Islands of Orkney, found there 18 fisher-men, who being sento on shoare to fill water, Montrosses souldiers fell upon them, and tooke away their money and cloathes, and used them very ill: after it appearing they were fisher-men and going to Ireland to fish, Montrosse gave them a passe to goe on their voyage, but their ship being in the meane time gone, they remained on shore. That the 'Recovery' comming to fill water were suffered to fill it, but endeavouring to bring it on board, the souldiers fell on them but the 'Recovery' playing her guns, under favour thereof

¹ Christina Munk, his wife by a morganatic marriage.

² *A Brief Relation*, April 9-16 (E 598, 6), p. 483.

her owne men came aboard, and also the other fisher-men, who are brought home. Those men report that Montrosse having received some intelligence from London which came to him in fourteene dayes, he presently gave order to put his men into a marching posture, and intended to pass over into Scotland the first of this moneth, that those men are about six thousand, besides those he takes of the Islands, which are all from sixty to fourteene: in one of their colours they carry the effigies of the late King's head with streams of blood from it, in another of a coffin, into which he was put.

By the originall pass given to these men, under Montrosse his hand and seale of armes (which I have seene) it is now evident that Montrosse is certainly there, in Orkney or in the North of Scotland, whereby tis very probable those troubles will begin in Scotland that will not be easily quieted againe.

XLIII

ANSWERS SUGGESTED BY THE PRINCE OF ORANGE AS FIT TO BE GIVEN BY CHARLES II. TO THE SCOT- TISH COMMISSIONERS¹

POURVU que le Roy reçoive assurance qu'il aura l'exercise de son autorité royalle selon les loix du Royaume, et que le Royaume d'Escosse s'engage de faire tout ce qui leur sera possible pour son restablissement en tous les droits dans ses royaumes d'Angleterre et d'Irlande et pour faire executer justice contre tous ceux qui ont esté coupables de l'horrible parricide du feu Roy son père, et aussi qu'une amnestie generale soit faicte et accordu afin que personne ne soit praejudicié pour s'estre engagé dans le dernier engagement du parlement d'Escosse l'an 1648; mais que tous acts faicts contre eux à cause de cela soient cassez et revoquez:—

Sa Majesté approuvera le covenant national d'Escosse et la ligue et covenant solemnell et il ratifera tous acts des parlements enjoignans la ligue et covenant, le gouvernement presbi-

1650.
Circa
Apr. 19.

¹ Printed by Dr. Wijnne in *De Geschillen over de Afdanking van 't krijgsvolk*, p. 93.

terian, le directoire, la confession de foy et le catechisme dans le Royaume d'Escoce selon qu'ilz sont approuvéz par les assemblées generalles et les parlements du dit Royaume.

Le Roy aussi confirmera la ligue et covenant pour tous ceux qui l'ont pris en Angleterre ou Irelande, ou qui prendront volontiers : et sa Majesté declare qu'elle convoquera un parlement en Angleterre aussi tost que la condition de ses affaires le pourra permettre, et y consentira a telles acts du parlement qui luy seront presentez par les deux maisons pour l'establisement du covenant, du gouvernement presbiterien, du directoire, de la confession du foy et du catechisme, et ne fera jamais rien contraire à cela : et cependant le Roy pratiquera le directoire en sa famille quand il est parmy ses subjects d'Escoce.

Sa Majesté aussi reconnoistra ceux qui ont envoyé ces Commissaires icy pour vray et legitime parlement d'Escoce, pourvu qu'ils s'engagent comme est dict cy-dessus, et s'unissent pour une telle amnestie.

Et le Roy declara (aux mesmes termes qu'a fait le feu Roy son père) que dans les affaires ecclesiastiques il suivra les advis des assemblées generalles d'Escoce et les advis des parlements dans les affaires civiles.

Mais si le Roy ne veut pas faire ce dernier pour les affaires civiles, —.

Que Sa Majesté escrira une lettre à l'Eglise par laquelle il declare qu'il veut suivre les advis de l'assemblée generale dans les affaires ecclesiastiques concernans ce Royaume-la (comme son père a faict expressement par l'act 4 de son second parlement) et pour les choses civiles qu'il declare qu'il sera tousjours prest d'entendre et de recevoir les advis de ses parlements.

XLIV

ANOTHER ANSWER SUGGESTED BY THE PRINCE OF
ORANGE AS FIT TO BE GIVEN BY CHARLES II.
TO THE SCOTTISH COMMISSIONERS ¹

SA Majesté approuvera le covenant national d'Escoce, et la

1650.
Circa
Apr. 18.

¹ Printed by Dr. Wijnne in *De Geschillen over de Afdanking van 't krijgsvolk*, p. 16.

ligue et covenant solennel, et ratifera tous acts des parlements enjoignans la ligue et covenant, le gouvernement presbyterien, le directoire, la confession de foy et le catechisme dans la royaume d'Escosse, selon qu'ils sont approuvez par les assemblées generales et les parlements du dit Royaume.

Le Roy aussi confirmera la ligue et covenant pour tous ceux qui l'ont prins en Angleterre ou Irlande ou qui le prendront volontiers. Et sa Majesté declare qu'elle convoquera une parlement en Angleterre aussi tost que la condition de ses affaires le pourra permettre, et y consentira á tels acts du parlement qui luy seront presentéz par les deux maisons pour l'establissement du covenant, du gouvernement presbyterien, du directoire, de la confession de foy et du catechisme, et ne fera jamais rien contraire á cela. Et cependant le Roy practiquera le directoire en sa famille, quand il est parmy ses subiects d'Escosse.

Sa Majesté aussi recognoistra ceux qui ont envoyé ces commissaires icy pour vray et legitime parlement d'Escosse, pourveu qu'ils s'engagent comme est dict cy-dessus, et s'unissent par une telle amnestie.

Et le Roy declarera aux mesmes termes qu'a fait le feu Roy son père, que dans les affaires ecclesiastiques il suivra les advis des assemblées generales d'Escosse, et touchant les affaires civiles il prendra l'advis du parlement.

XLV

CHARLES II. TO THE PRINCE OF ORANGE¹

I HAVE considered the severall papers and propositions, delivered to me by you, and doe assure you, I desire nothing more than that I may intirely unite the hearts and affections of all my good subjects of Scotland to me, and amongst themselves, as well for the honour, peace, and prosperity of that kingdome, as that they may jointly and unanimously assist me in the revenge of that horride and impous murther

1650.
Circa
April 14

¹ Printed by Dr. Wijnne, in *De Geschillen over de Afdanking van 't krijgsvolk*, p. 112.

of my father, and the recovery of my just rights in my other dominions to which they are all equally engaged by the lawes of God and of that Kingdome and to the obtaining of such an union I will consent to all that in conscience and honour I may, without imposing on my other kingdomes, I have not the least thought of violating or infringing the established lawes of Scotland, or any of them, or of altering the government ecclesiasticall, or civill, as it is settled there by law, but shall maintaine, confirme and defend all those lawes, and particularly those concerning the nationall covenant, the confession of faith and presbyteriall government of that church. Touching that part of the league and covenant which concerneth my other kingdomes of England and Ireland, it is not in my power justly to take any resolution therein without the advise of my respective parliaments of those kingdomes, by whose advice and consent only lawes are to be made or altered. Neither can I consent to anything which shall oppose or disturbe the peace lately concluded in Ireland. But I am very willing to referre the full consideration of the said league and covenant and of all other particulars you mention (as to England) to a free parliament to be convened there by my writ, as soone as the condition of that kingdome will permitt me so to doe, by whose advice I am resolved wholly to governe myselfe therein. In the meane time as I am very ready to do all that is in my power to the safe and quiet protection of my people of Scotland under the benefit of the lawes of that kingdome, as likewise further to gratify them in all that may really tend to their welfare, so I shall expect that obedience and duty from them in the exercise of my royall power as is due to me by their allegiance. And for the burying all bitterness and animosities, which the former distractions and divisions may have produced, and for the better effecting the happy union before mentioned, I am very willing and desirous to consent to an act of oblivion and indemnity to all persons of what condition soever of that Kingdome of Scotland (excepting only such as had private confederacy with the murderers of their late soveraigne, and with them did designe, contrive and consent to the same).

And if it shall appeare to me, that the league and covenant

containeth any thing in it, not comprised in those acts concerning the nationall covenant and presbyteriall government of the church of Scotland, and necessary to the welfare of the said Church and Kingdome, without reference to England or Ireland I shall, upon the settling of such an union, and the passing such an act of oblivion as is before mentioned, apply myselfe to give full satisfaction therein.

Passionately desiring to remove all occasions of misunderstanding between myselfe and all my good subjects of that my Kingdome of Scotland.

And what is not particularly answered at this time shall be supplied by an expresse whom I shall dispatch into Scotland as soon as conveniently I can.

XLVI

NEWS SENT BY J. TRETHEWY TO W. EDMAN¹

(*Extract*)

Breda, 21 April 165[0]. s. n^o.

THE King hath bin here within 2 dayes of a moneth, and so have those whom wee call the Scotts Commissioners, 9 in number, vizt. E. Cassilles, E. Lothian, Mr. Brody, M. Wynram, Sir Jo. Smith, Mr. Jaffry, Levingston, Wood, and Hutchingson, the 3 last being of their bigott clergy. Their propositions are much like those at the Hague the last yeare, rather strickter then otherwise, and I doe not find that will be brought to reason. What the issue will be, I cannot tell you as yet, but I feare the worst. I am not Presbyterian enough to be acquainted with their proceedings, and therefore you will excuse my ignorance therein for the present.

The Queene of Bohemia is still here. The Prince of Aurange hath bin here twice, and is this day returned to the Hague to looke after his owne busines, the States of Holland and some of the rest labouring very hard to weaken his power by cashiring of many troops and companyes of the English and French

1650.
Apr. 11.

¹ *Clarendon MSS.* vol. ii. No. 345. Trethewy was in some way attached to Lord Hopton.

etc., and 'tis thought that they will at last carry it against him, it having bin long in dispute, and they are to meet againe about it the begining of the next weeke.

Here have bin 4 of the States Generall with a formall complement to his Majestie pretending great affection to his service. and wishing good successe in the treaty. They stayed but v. nights, and so returned without any particular interposing in the busines.

You have heard allready how Duc. Buckingham, Duc. Hamelton, and Marq. Newcastle (Knights of the Garter) have bin sworne of the Councell since our comming to this Towne. They and some others have bin verie desirous to agree with the Scotts, notwithstanding the unreasonablenes of their propositions.

The Prince of Aurange likewise was of that opinion, but whither they may alter their minds I know not, the contrary is by some very much doubted.

XLVII

R. WATSON TO W. EDMAN¹

1650,
Apr. $\frac{1}{2}$.

MY DEARE BROTHER,—To put you out of your grumbling fit, which I perceive you were fallen into by yours, which I received but last night, I must in the first place let you know, that untill now I had none from you since March the 2 and that dated Febr. 2. whereas my last to you was of March 31. So that I advise you to consult some of your Spanish lawyers, and learne beter hereafter to distinguish between creditour and debtour. My fingers since then have often itched to be scribbling somewhat more about the treatie, but the impudence of our brother blewcaps have overcast with such a cloud of lies whatsoever light I had from beter starres, that I knew not which way with any confidence in the truth to steer my course. Yesterday in the afternoon it began somewhat to cleare up, but I could come to discover litle till the twilight, so that if I chance to mistake

¹ *Clarendon MSS.* vol. ii. No. 285. Watson was Lord Hopton's chaplain, Edgman secretary to Sir E. Hyde, then in Spain.

colours, you must not blame my eye sight. Since my last I know some papers were put in by the counterfeit Commission, what, or whether any were return'd in answer from the King I can not certainlie informe you. But, be assur'd you may from me, their demands were higher then before, imposing Covenant and Presbyterrie upon his Majestie and all his kingdomes, expresselie secluding the Common Prayer from his owne chapell, clamouring on him to recall J. Græmes's commission, and after that all other issued out by sea or land; to null all agreements and articles with the Papists in Ireland, to ratifie all Acts of Parliament to the extirpation of them and ruine of his partie; checking him with the omission of a beter opportunitie when they treated at the Haghe, menacing the danger if he now accorded not to all.¹ To all which you may safelie superadde whatsoever you can fancie to proceed from brazen-fac'd rebels, and barbarous brutes that never meane to have communion with men of honestie and reason. While these accursed propositions were press'd with daylie importunitie, to which all opportunities were open aswell as the doores of the Præsence, Private, and Bedchamber at all houres not onelie now as heretofore, noncommission'd Lawderdales, but highcommission'd Lothians whisper up and downe in their discourse, that no such thing as covenant would be press'd. That their propositions were so faire that all the world must needs condemne the King and his wicked Councel if they were not yielded to. And this to no meane persons, but to the Marquisse of Newcastle, when at Antwerpe, though himselfe to be soon after of the Councel, and so consequentlie acquainted with this lie when he got to Breda, where he had not been long before he gives the E. Cassils a visite, and argues with him why they stood with the King on so high termes, craving afterward his pardon for speaking so freelie to him. Cassils told him he toke his freedome well, and would use the like with him, which put the Marquisse in hopes of having somewhat return'd in order to the publike businesse instead whereof he was onelie rebuk'd for his customarie swearing, and sent home with this good counsel to his conscience, but not with one word

¹ This is an abstract of the paper presented on March 25.—*Clarendon State Papers*, vol. ii. App. I.

of satisfaction for the King. Our other nobilitie and gentrie of all conditions and sexes were prepossessed not onelie with hopes of an accomodation by the treatie, but with a fallible assurance of reasonable grounds for it, and the false rumour of some private enstructions, beter natur'd then the publike, when they came to be known had not onelie taken impression in the people, but so farre in the King himselfe that in his name was intimation given to the chaplaines that they should not inveigh against them in their sermons, nor meddle at all with the businesse then in hand. My Lord, Sir Edw. Nicolas, Mr. Atturney, and L. Gerherd, who in several degrees oppos'd themselves were look'd upon as imprudent men and somewhat worse, and talked of as design'd for 4 excepted persons. When the Prince of Orange came well prepared by the Scots, whose whole winter worke it had been at the Haghe, they thought themselves cocke sure, but his wisdome prov'd such as not to give his counsel in the grosse before he heard the declarations and desires of all parties. This was the chiefe businesse of Monday and Tuesday last, when being beter informed of the true state of the businesse His Highnesse began to suspect the Scots to be not so faire condition'd as they seemed before they came to treatie. His hopes to worke them to some beter moderation stay'd his journey two dayes longer, but doing litle good upon them. 'Tis say'd he told them plainlie that he thought they intended litle peace, and would so declare unto the world in the behalfe of his brother, who had condescended to all he could in honour, and he would be no mediateur to him for a dishonourable peace whatsoever were his hazard. Yesternight the Prince departed for the Haghe discontented, as they talke, and 'tis thought this day some Scots are going after him, to what purpose is not known. If the post would stay till after diner I could be sure to adde somewhat more of certaintie, somewhat more of probabilitie what wayes are like to take, but that will not be, you must forbear it till the next. I can assure you all the Presbyterian partie look'd last night like drowned rats, and some of our over-weaning gentlemen begin allreadie to confesse their mistake and call the Scottish kirkemen at least nyne knaves. Yet in the midst of their late confidence it was pretie to observe that scarce any one of judgement would professe him-

selfe a Presbyterian in heart, though he spake and acted for that partie. I can tell you one storie for a truth. Sir George Radcliffe at Beauvois comes to the E. Cleveland, tells him he hoped all was not true he heard of him, viz. That he was become Presbyterian. The Earle's colour rises, and he answer'd with an oath in his anger, that whosoever call'd him Presbyterian he would cane or beate him. 'Tis sayd on Tuesday last my Lord at Councel moved that one of the Divines might be sent for to informe the Kings conscience what he was to doe. That Secretarie Long say'd the King's Chaplaines were partial in the case, and so not men in œquitie to give counsel. Whiles in the interim the Scottish clergie had daylie audience and preached publikelie their sense, and yet this must be æsteemed no partialitie at all. God forgive him and others, if all be true I heare, but enough of this.

In my last signified what then I knew about Jersey, since then I have had time and opportunitie to discover litle more, beside a general ill opinion of Sir George C[artaret] and Bigges the chiefe instrument he useth. One storie they tell me, that he hath taken away Capt. Amies frigot (for they are now at distance) victuall'd her himselfe, that he might have the purchase, man'd her with whom himselfe thought fit, and given order that when they take a prize, if by distresse of weather etc. they can not bring it into Jersey, they should rather sinke it then carie it to Silley. Thus he is in enmitie with all the Islands neare him. Your charge hath made a voyage over to us, and spent 3 weekes with us in this place, but upon a very sad occasion. Her husband's vessell and goods to the value of 800^{lib} (whereof she professeth the greatest part was his) being taken in its voyage to St. Sebastians by one of our Irish frigots, and caried into Brest, where the Lt. Governor hath seiz'd upon what was in her. I protest I admired to see what countenance and civilitie she found here from many freinds in order to her businesse, Mr. Secretarie being kind hearted enough, and the King somewhat passionatelie affected with her loue, she hath obtained what order she desired toward the recoverie of ship and goods, and, which may be more effectual, a commission for her husband to bring away any ship and goods, man of warre, or merchant, out of England, to be

himselfe Captaine of her and enjoy he shall a good proportion of the profit. Somewhat else is yet behinde, which I take to be blanke commission, if she recovers not that formerlie sent her. But I understand that Dr. Stampe hath put her husband upon some other designe (what I know not) and that he will be she sayth in these countreys very shortlie. I and some other friends went with her to Bergen on Monday last, from whence she is gone to Middleburg, and thence bound for England as the winde shall serve. She after remembered you, and left me an expresse charge to remember a lapfull of kindnesse to you. These scurvie chimes tell me 'tis striking 10 of clocke, the last minute allowed me by the post, so in hast farewell. You shall heare of me againe very sudainlie, as I hope I shall beter newes from you.—I am, Thine the same, R. W.

Breda, Apr. 22. 1650.

My humblest service to the Reverend Deane of Elie,¹ Mr. Cloterbocke, and my kind love to the rest of my friends with you. Your brother Secretarie writes to you this day another way.

XLVIII

LETTER FROM BREDA ²

Breda, 12³ April, 1650.

1650.
Apr. 12.

SIR,—I believe I shall write you no more from hence, nor much at present, things being come to a conclusion; for though they will not speak it publiquely, yet it is believed by those who observe all actions closely, that they are indeed agreed: for here hath been the Prince of Orange these three or four days, and been extreme earnest with both parties to agree them, and hath indeed brought both to a subscription. What the articles are, I yet cannot give you, for they will not acknowledge the thing itself; but you may be confident of it, it is onely that they may be aforehand with you.

But all the Scottish difficulties are not over, for 'tis evident they know not what to do with their King when they have

¹ William Beale.

² *A Briefe Relation*, April 16-22 (E. 598, 9), p. 485.

³ This must be old style, as the Prince of Orange arrived on the 8th.

him. They are not willing to have him into Scotland, the charge of it will be insupportable to them, but they are willing to make use of his authority. The Prince of Orange is all to have him go, because so long as he stay in these parts, he is like to keep him, which will be a great burthen to his indebted estate, which hath suffered so deeply already by his Royal alliance: therefore be confident he will give him all the assistance he can to be rid of him; and there is no doubt 'tis most for his interest to go presently into Scotland, for by that means he will presently be able to tell that party who sent these Commissioners, that they have befooled themselves, and that both they and their Kirk are irrecoverably lost; for 'tis most undoubtedly certain that the constant bent of his affections stand still to Montross; next, those of the Hamiltonian party, who are also numerous, and not impossible to be reconciled, as not being so zealous, or deeply engaged in Kirk-business; but for the Argylians, he perfectly hates them and their ways, and will with his presence there soon make such a party, as shall make him able to tell them so; and some of the wisest of them are themselves of the same minde, which is one reason they are so unwilling to have him go into Scotland, they seeing the blow coming for which they have no guard.

And you will finde what I wrote you in my last is true, that Montross will not disband upon the pretences of disability, till he be by the confluence of the Hamiltonians to him, and by the intelligences of the caball, able to do the work designed; mean time they please the Commissioners here, by telling them, that he shall be sent over with his forces into Ireland (to conquer that Kingdom at a blow, as he once did theirs) which conceit the Montrossians here laugh at, and will not have it believed, that Montross can be so imposed upon, as to send him with his foot onely into Ireland, for horse he brought none into Scotland with them, and they have not so many of their own to spare him any; where if he do get a landing, he hath nothing to live on, the countrey wasted, never a place of strength that can protect him, and feed him no considerable party there that dare appear in the field to joyn with him, a victorious army of above twenty thousand horse and foot that are almost at leisure to prosecute him, furnished with all things,

a strong guard of ships upon the coast to hinder all supplies to him, in case he could get a landing ; besides that, he hath no canon nor train, and Cromwel hath all these things abundantly : so as they say to send him thither, were to condemn him to destruction unavoidable ; that if Ireland had not been desperate, the King himself would have gone thither, as liking that course better than Scotland ; but they doubt not but Montross will do his Master better service in Scotland, and that he hath encouragement to it, and will have thanks and honour for it. The Pr. of Orange went hence yesterday : we shall not stay long ; when I come to the Hague, you shall from thence know which way I shall bend my course.

XLIX

LETTER FROM PARIS ¹*(Extract)*

1650.
Apr. 13

THIS copy of the Instructions given to the Scots Commissioners for their treaty at Breda² coming to my hands I thought fit to publish the same, although we yet know not how far they were insisted on, or how far condescended into, or whether there were not additional Instructions to be made use of, in case those did not obtain their effect : but 'tis sure enough they are agreed. The Prince's ignorance of the true state of Montross his affairs, having brought him to obedience to a supposed necessity ; but he and Montross are too well assured of each other, to mistake one anothers actions. The Prince hath agreed with Montross his professed mortal enemies, because necessity would have it so ; and Montross his men will not disband and lay down arms for want of money, though the Prince command them, and that is necessity too : and while they stand in arms, why should they not quarter upon their enemies ? And why should their King be angry with them, or think he can give this necessity a law ? These articles and that oath would be a fit subject for some remarks, but must pass for want of leisure.

¹ *A Brief Relation*, April 16-22 (E. 598, 9), p. 49.

² Printed in the *Acts of the Parliaments of Scotland*, vol. vi. part ii. p. 559.

L

THREE OF THE SCOTTISH COMMISSIONERS TO THE
PRINCE OF ORANGE ¹

SIR,—Haveing returned an answere to the King's Ma^{ty} of the paper which wee received from Your Highness, we have, as you decided,² given an double thereof to the Earle of Lauderdale, to be sent to Your Highness. Our desire is, that there should be no further interchanging of papers, for thereby much time is lost, seing this containeth the last satisfaction which we can accept, and all the answere, which wee (preserveing our trust) can give to His Ma^{ties} demands; and if in any particular our answeres be not fully satisfactory to His Ma^{ties} desires, wee humbly conceive it more expedient, that His Ma^{ty}, putting himself upon the affections of his people, should referre them to his parliament where his royall presence will obtaine more than wee are warrented to grant. We doe therefore humbly besecch Your Highness to croune all your respects to His Ma^{ty} and your favours to the Kingdome of Scotland by interposing yourself with His Ma^{ty} to grant the desires of this people, that at last this treaty may have the desired issue for which wee are confident you shall be honoured in this and renowned in the age to come. There is nothing wee desire more than to have the happines of Your Highnes' presence if your weighty affaires may permitt.

The dayes prescribed for our stay are neere outrunne,³ it is His Ma^{ties} advantage that there should be no further inprofitable losse of precious time. In the meane time we wait for Your Highnes' pleasure to be signified to Your Highnes' humble and most obliged servants,

CASSILIS. LOTHIAN.⁴
AL. JAFFERAY.

Breda, Aprill 15/25th, 1650.

For His Highnes the Prince of Orange.

1650
Apr. 15.

¹ Printed by Dr. Wijnne in *De Geschillen over de Afdanking van 't krijgsvolk*, p. 111.

² Decided.

³ Outrun.

⁴ 'Loshnan,' as given by the Dutch copyist.

LI

LETTER FROM EDINBURGH¹

1650.
Apr. $\frac{16}{26}$.

WE have now the certainty of Montrosses arrival with forces in the North. Letters from the Earl of Sutherland and the Master of Cathnes, of the 12 instant, say that two days before, fourteen hundred of James Graham's, alias Montross's men, were landed in Caythnes, under the Command of Sir John Vrry. The same letters say that these are but a fore-party; and that Montross himself, the Lord Naper, Lord St. Clare, and Lord Frendraucht, and the Laird of Pitsfodder² (who is the King's Standard-bearer, and hath the King's standard) with other forces are to second them. This news occasioned a kinde of Committee this afternoon; where it was resolved that Lieutenant General Lesley, with most of the Horse and one thousand four hundred Foot should instantly march North. And he accordingly hath issued out orders to all the forces hereabouts, to be at the general rendezvous at Brechen in Angus, April 25. Himself is gone this night out of Town, and all are packing out after him. Urry hath possest himself of a Pass called Hoard,³ so that it will be very difficult coming at him. The Chancellor⁴ was newly gone into the West, but messengers are dispatch'd to Argyle and him, and divers others, to hasten them back hither, to consult the publique safety; alarms coming thick from England, as well as from the gloomy North of Scotland. Lewis Gourdon⁵ and Middleton⁶ were cited to give bond for keeping the Peace; Middleton was upon his way thither, but upon some intelligence that he received, he went back and sent his excuse, that he was not well; and the Committee of Estates hath information that he hath conveyed away all the estate he had in Scotland. The ministers pray still for a good success of the treaty; but withal, that it may be with security to religion, else better no agreement

¹ *A Brief Relation*, April 16-22 (E. 598, 9), p. 501.

² Pitsfoddels.

³ The Ord of Caithness.

⁴ The Earl of Loudoun.

⁵ Now Marquis of Huntly.

⁶ Middleton had offered his services to Montrose.—Ogilvy of Powrie to Montrose, March 3d, Napier's *Memoirs of Montrose*, p. 735.

at all. But whether they agree or not agree, it is now taken for granted, our King will come in person into Scotland, and most believe to Montrosses party.

LII

LETTER FROM PARIS ¹

(Extract)

THE little Queen is still at the Carmelites. The letters from Holland say, that the Prince of Orange continueth still his earnest instances towards the proclaimed King of Scotland, to have him consent to the desires of the Scotch Commissioners; many alleaging that the late King Henry the 4th, his grandfather, when he changed his religion, used to say that the Kingdom of France was well worth a mass, and that Scotland is worth but little, if it be not worth the Covenant.²

1650.
April 17.

LIII

R. W.³ TO THE HONOURABLE CHARLES STANLEY, ESQ.⁴

SIR,—I am so much your servant, that I must needs wait upon you wheresoever you are; and though my letters be long ere they arrive, yet I hope they will have the honor to kiss your hand, which I beseech you to permit them to do, and with as much affection as is possible from a person whom you have suffered to be acquainted with your worth, and have so greatly obliged, which makes me very unhappy that I can

1650.
April 20.

¹ *A Brief Relation*, April 23-30 (E. 592, 4), p. 511.

² The Queen's sentiments appear in the following extract from a letter from Breda, by Sir J. Berkley to Sir E. Hyde, dated April 27-May 7, and printed in the *Clarendon State Papers*, vol. ii. p. 539:—'Yours of the 18th of March came to me at Paris the 9th of April, as I was ready to take post to come hither, where my business hath been partly to offer to his Majesty the Queen's sense and desires that the treaty might take effect, so as the Covenant and breach of treaty with Ireland be not pressed and insisted on by the Scots; and partly to despatch some affairs of my own.'

³ This can hardly be R. Watson.

⁴ *A Brief Relation*, April 30, May 7 (E. 600-5), p. 524.

neither say nor do anything accordingly. However, give me leave to entertain you with what is done on this side the Channel. The grand affair is the Scots' Treaty with their King. I told you in my last my opinion of it, which as yet I see little reason to change. They treat somewhat after the fashion at the Isle of Wight, with papers and answers. It goes much that pace, and perhaps may be ended when the Parliament's Army is at Edinburgh. The Scots know their King is yong, necessitous, and with a divided Council, and are resolved to deal with him accordingly; for, unless he will come to their terms, he must expect nothing from them. Methinks he should grant them all, rather than protract time, but his Chaplains and some others will by no means permit it; they tell him of honor and conscience, when every man knows he hath taken no oathes, as his Father did, to binde his conscience, nor can it be dishonorable to part with anything for the present, that so he may be in a capacity to recover all in the end. If I may tell you my thoughts, I think he is but in a bad condition, for the States grumble at his being there, and the Prince of Orange, his brother-in-law, sits not very sure in the saddle; therefore 'tis hard to say who deserve most blame, the Scots that ask so much, or his party that will not suffer him to grant it. To tell you their demands, viz., the Covenant, etc., their interest in Ireland, their towns and garisons in England, the Union of the two Kingdoms, their command in armies, and rigid terms against the King's party, would fill a volume, and I believe you know them enough. I spake this day with a person of the greatest honor, authority, and employment at Breda, who came lately from thence, no great admirer of their proceedings, and for my part I learned nothing from him but what I imagined before. Sir, please to excuse this broken account, and present me most humbly to my Lord and Lady, my service to your brother, and my self.—Sir, your most humble and most faithful Servant, R. W.

Antwerp, Apr. $\frac{30}{10}$.

SIR,—Since I writ my letter, 'tis reported that Prince Rupert's whole Navy, being twelve Ships, are fired, sunk, and taken about the Port of Lisborn, by twenty-four of the Parlia-

ment's ships. If this be true (as 'tis much reported) I cannot see how the Scots will be able to transport themselves or their friends into Scotland. I wish all my friends would be quiet in England, and as many as can get over with money in their purses, I would they were here.

LIV

SUGGESTIONS MADE BY JAMES MACDONELL TO
CHARLES II.¹

IN regard the negotiation must be caried on rather *ratione status* then in a strict rationall way, it is most humbly offred to his Majesties royall wisdome to consider iff it be not expedient—

April
1650.

1. To grant for the generall satisfaction of his people ane Amnesty or Act of oblivion (excluding only those who have been actors in, or had any accession directly, or indirectly to the unpara[le]lled horrid murther of his late royall Father) and that in the said amnesty speciall provision may be made for the indemnity of his excellency M[arquis of] M[ontrose]. So that (a right understanding being setled betwixt his Majesty and his people) his excellency, with his forces may be employed either for the invasion of England, or preservation of the remnant of Irland, as shall appeare most conducible to his Majesties interest.

2. To approve and ratifie all what his royall father granted by himself or his Commissioners lawfully authorized by him concerning the Nationall Covenant, the Solemne League and Covenant, presbyteriall Governement in the Kingdome of Scotland, provyding they doe not presse his Majesty's personall taking the Solemne League, and that they desist from theire demaunds to have it impos'd upon the Subjects of England and Irland.

3. To yeeld that all causes ecclesiasticall be setled by a Generall Assembly, with these two cautions—

1 That Assemblies may have their courses, and turnes by

¹ *Carte MSS.* cxxx. fol. 141.

the Kings royall indiction *More Majorum*, according to the auntient custome of that kingdome.

In primitive times the 4 Œcumenick Councells had their Indiction from Emperors ; and the Bishop of Rome befor his usurped grandeur was obligd, and went to supplicat at, and from the Emperor, the Indiction of Synods, and somtimes receavd a refusall.

In France the indiction of reformed Synods flow from the Kings pleasure in regard both of time and place *toties quoties*, and

In the United provinces from the supream pouer, and laick (?) instanced in the Synod of Dort, Anno 1618, and 1619 : wher the States Generall had severall commissioners and a Secretary of State present in all sessions to regulate the too frequent ecclesiasticall passions, and to forsee, and provyd that their debates, and results might not reflect or incroach upon the secular power.

Secondly, that Assemblies thus indicted ; In the presence of his Majesty or his royall Commissioner doe cognosce and decerne only *in rebus fidei, scandali, et morum*, and that under the notion of scandall and manners may not (according to that pernicious destinction, *In ordine ad spiritualia*) be comprehended crimes *que brachio seculari subjacent*.

4. That matters meerly civill, propounded for the generall good of his people may have their decision by Parliament with this caution :—

That his Majesties negative voice (an essentiall part of his royall right) be preserved entire, and free from violence.

Upon the premisses, or the like concessions from his Majestie a way being made for his Majestie regresse to the free exercise of his royall Government. Its conceav'd his Majesty by his presence among his people would suddenly dissipate the clouds of division, reconcile evill affected parties, extinguish animosities, or at least (as Philipp of Macedon did) foment them to his owne advantage, and in a short time, at a more calme season, gaine, and regaine more then what seem'd to be lost by remitting somewhat of Regalitie in so great a tempest.

Si jus violandum, Regni causa violandum est.

[Indorsed]

Mr. Mackdonell.

[Addressed]

For his Most Excellent Majestie.

LV

LETTER FROM AMSTERDAM¹*(Extract)*

CONCERNING your affairs the bruit here among the King's men is, that all is ended at Breda, but pretended otherwise. The Scots return quickly home, and their King is expected at the Hague. We thought he would have been at the Kermis;² they will get him some money and a brigade of ships, either upon the Prince his credit or his cozen of Denmark, or both, to waft him over to Scotland with a mad crew, or it will go hard. They give out they will have one knock more for it this summer, and if they prevail, the cashiered English and Scots will not much fear the Cassation;³ if they miss both, they will abroad and erect a wilde plantation. We are told Montross shall forbear and withdraw out of play this game; yet is he and Lanerick, alias Hamilton Duke, now good friends. Argyle is honest too, for he hath taken it on the Sacrament, as is alleaged at Breda, that he had no hand in your late King's death; and that it never entered into his thoughts, nor had he the least knowledge of it till it was done; yet I do not finde but the King's men make use of him for a turn, dissembling their implacable malice, saying, It's needful sometimes to hold a candle to the Devil.

1650.
Apr. 21.
May 1.

LVI

LETTER FROM BREDA⁴*Breda, 1 May 1650.*

WE are here, though when I wrote my last, I told you my next would be from the Hague, but they say we go tomorrow,

1650.
Apr. 21.
May 1.

¹ *A Brief Relation*, May 7-14 (E. 600, 14), p. 551.

² The fair.

³ The proposed dismissal of the English and Scottish regiments in the Dutch service.

⁴ *A Brief Relation*, May 7-14 (E. 600, 14), p. 552.

though I think our resolutions here are as much upon a point of certainty or constancy in great things as in small. And indeed what can you expect from a yong King so bred as he hath been, and so counselled as still he is?

They give out here, that they are in many things agreed; that the King will grant them the militia for five years, and will consent that all shall take the Covenant except himself; but certainly this will not satisfie; they have ends to serve upon him. He urged that three of his chaplains might go along with him; but that was absolutely denied as altogether against their Covenant and against Presbytery; at which he brake out into a great passion and bitter execration. It is easie to see that the Scots' edge is much taken off him; they say they find nothing but vanity and lightness in him, and that he will never prove a strenuous defender of their Faith.¹ And 'tis evident still that he perfectly hates them, and neither of them can so dissemble it, but each other knows it, and 'tis matter of pleasant observation, to see how they endeavor to cheat and cozen each other. The King strokes them till he can get into the saddle, and then he will make them feel his spurs for all their old jades' tricks they have plaid his father, and for their present restiveness; and they know it, and therefore will not agree he shall back them with his heels armed. They hate the thing Monarchy, but they must have the name of it; and they care not for the person of this man, but his relations;² they must make a property of him, no other will serve them for a shadow to stalk to their ends by. They feel already their seperation from England, the remembrance of their former fat and sweet morsels there and from thence, keeps them awake, and they must again obtain them whatever they cost. And indeed without that, what should they do with a King? what should maintain him? or how should they do to be maintained who are now maintained with that which must maintain him? The truth is the Scots love England well, and they love the King for your sakes; flatter not yourselves with any of

¹ Compare *The Life of Mr. John Livingstone* in the Wodrow Society's *Select Biographies*, vol. i. pp. 170-183.

² *i.e.* his relation to monarchical government.

their goodness, they court and seek him for a Kingdoms' sake ; and you may be assured that if they come to an agreement, you will finde there will be almost a total transmigration of all that *collavies*¹ of their beggarly trash, to take their possession of England. Trust them not ; if you be aforehand with them, you may prevent it at their charge ; if you will not, they will put you to the trouble of destroying them (when like so many locusts, as another Egyptian Plague, they have destroyed the country) at your own. We have here newes of some preparation you are making there to have an army on foot, and it puts us here to new thoughts. The English that are here about the King, seeing the Scots will not come off upon such terms as were desired, inveigh most bitterly against them, and perpetually buz so many things into his ears that he knows not what to do, nor by what Counceils to guide himselfe, for there is not a man both² hath his end upon him, and his interest to serve by him, and how he should be able to pursue his own amongst them all, might be a difficulty to a greater judgement then his. They tell him they have lost their estates, and are all undone for his sake, that he cannot in equity and justice forsake them, and leave them to the wide world without estates, or countenance, or reputation, as he must do by this his agreement with the Scots. To perswade him to this, they tell him he is a dead man if ever he gives up himself to the Scots, for they will sell him to the scaffold as they sold his father ; and thus they fill the fancy of the poor King with dreadful fears. The Prince of Orange he tells him that there is no other way in the world for him to come by his Crowns again, but by joyning with the Scots ; that all his friends he hath will otherwise forsake him. But if he were once in possession there, he should finde such assistance from his friends as he should not need to keep more of the Agreement then he should finde to be for his service and advantage, and might soon put himself from under their power. He told him also, if it were his case, he would go with them, though he should lose ten lives. I am confident the Prince of Orange would not care though he lost ten lives, so he could be rid of him ; and that it is from no other con-

¹ Colluvies.

² but.

sideration that he gives this counsel, but because it is the likeliest way to be soonest rid of him: he feels the burthen heavy upon his shoulders, and forsees it ruinous if he stay long, and therefore will do his best both to perswade him to go, and procure him means for his transportation: but if he were once well gone, he would want no pretences nor (as 'tis believed here) real arguments to forbear any further supplies, for 'tis thought he hath a game to play of near concernment to himself, if the Cassation that hath been so long in hand be once finished, which now all men say here the States of Holland will have done, though all the other oppose it. The English that are opposite to the treaty, do now begin to be a little elevated with the news of Montross his being so strong in Scotland; and they say now he will scowre the rogues, and bring them to more modest terms with their King; yet that there might want no schisms and divisions amongst us, there are some of the clergymen about the King who are for the Scots. One of them used these words in the pulpit to the King, 'May it please your Majesty, we went from France to Jersey and back again, and now we are at Breda and do nothing, and unless your Majesty put away from you those rotten Lords about you, you will never prosper.'

We are here miserable poor, our hopes flourish not, are something crest-falen, yet we devote you daily with curses and execrations, we threaten and swear revenge upon you, but know not how to execute it; yet look to yourselves, for we shall not forbear to turn every stone to work you trouble, but our best expectations are from among your selves; where we care not how many we debauch, or whom we make guilty, nor at what peril to themselves, so we may but either get money from them, or procure you such trouble by them, that we could but get into action, and be fishing again in your troubled waters: watch narrowly such as you know are disaffected, and they who will be first stirring; let them not sin twice; be but a little severe this way, and you will break us without blows.

LVII

LETTER FROM PARIS ¹*(Extract)*

OUR last advice from Cologne do say that every day the Count Woldemar² was expected there, who is said to have made a league with the proclaimed King of Scotland to furnish him with many thousand men, both Foot and Horse; and that the States of Holland are willing to advance unto the Prince of Orange Two millions of Rickdollars,³ upon the security of the Town and Barony of Breda, and the County of Linguen, at the rate of four per cent. as for his own affairs; though indeed he is to lend them to the said proclaimed King, his brother-in-law, for the carrying on of his designs. The little Queen is still at the Carmelites. They do believe here that the Treaty of Breda is concluded between the Scotch Commissioners and their said King.

1650.
Apr. 24.
May 4.

LVIII

LETTER FROM BREDA ⁴*Breda, 6 May 1650.*

I DID believe I should have before this time given you some more certainty of this Treaty, but the jugglers have such rare tricks of private conveyance and leger-de-main, and things are kept so close, that I cannot give you yet a clear account; some reporting they are, and some that they are not agreed. For my own opinion, if that were any thing worth, I would undertake to say they are not, and believe they are silent because they are not agreed. Some say they keep it close, because they would put their designs against England into the greater forwardness, and so take you all napping; but as

1650.
Apr. 26.
May 6.

¹ *A Brief Relation*, April 30-May 7 (E. 600, 5), p. 528.

² See p. 54.

³ They are Holland rixdollars. They were worth £459,375, according to assays taken at the Mint on January 15, 1651.—*State Papers, Domestic*, Interregnum, vol. xv. p. 2.

⁴ *A Brief Relation* (E. 600, 5), April 30-May 7, p. 521.

I doubt not you will not be brought asleep with the whistling of such lullabies, so I do not think they mean ever to trouble you with such deep designs, but they would presently be cackling if they had once laid their cockatrice egge. If you were but here for a week *incognito*, and observe the persons and actions here, and what enemies you have, you would not much tremble at them; and if their friends, to whom they are represented at distance, as it please their instruments to abuse them, did but see them at hand as we do, a great part of the beauty would be taken off, and they would not be so ready to espouse their interest, who are rather fit to create trouble to others, and bring ruine upon themselves and their party, then to carry on any design by sober and stedfast counsels. The Scots' ministers are very zealous for their cause, and are but little satisfied of their King's pious affections to their Kirk. They speak extreme boldly here, if they would write so much to their correspondents with you, it would do well to enlighten them; here they stick not to call him an idolater, an enemy to God's Church, and that God will curse and plague their land for admitting him. However, their King is very familiar with them, and courts them very much. There is a great endeavoring to draw off Louthian to their side; and the Queen of Bohemia at her being here did seek him much, and told him how much it would be to his honor to strike in with the King: but his answer was that neither he nor they could in any thing recede from the Kingdom's propositions. Certainly there is very great juggling on all hands; for this day they give out that the King hath consented to most of their propositions; and will that all shall take the Covenant but himself, who will be excepted. He requires that all be pardoned that are outed by this Parliament, even Montross himself, that anathematized arch-rebel, and that they shall all sit in Parliament again. Sure you will be able to guess what agreement this is like to be, and what will be the first Acts this Parliament shall pass. In the mean time their King hath given commission to Count Woldemar to raise ten thousand men; but the difficulty will be as great to finde money for this as it was to the executors of the Spanish Curate to finde money to discharge all his great legacies and pious uses; they must take

it any where, where they will. They say the Queen of Sweden hath sent to the King of Scotland, and wisheth him by all means to agree with the Scots upon any terms, that he may once get a footing and possession, and then she will give him all the assistance she can. The Prince of Orange hath also vehemently pressed him to agree, and get possession upon any terms whatsoever, and then his work would be done, for he might afterwards keep onely what he pleased, and what he should finde fit for his service and interest.

And this is the strain and language of all the great ones here; and the Scots' Commissioners know it well enough, that if there were not a strange blindness fatally upon them, threatening their ruine, they would not thus court and woo their destruction, but presently withdraw from Breda, as from the greatest pest, which they may otherwise shortly see more dangerously, and infect and destroy their people, then the late one at Edinburgh.

An express is come from Scotland, bringing word that Montross is arrived there, and the Court give it out with 8000 men, but I conceive if they believed those numbers themselves, they would soon give over treating with these Commissioners.

But in the mean time they make use of some multiplication, to draw the Scots to as good terms as they can; if they gain but a prolongation in the Treaty, no doubt Montross his numbers will encrease, which is all the King and his party desire. Some believe the Scots have promised they will assist against England, and that the designs are laid how to effect it there by the Presbyterian party. Bunce and Massey are given out to be agents for that party here, and keep a correspondence with them there of that faction: you know the men, they are like to be rare deep plots of their designing. I think I have troubled you long enough with the treaty; now some account from abroad: the King of Scotland having sent his famous and renowned Ambassador, Count Captain Swan, to the Emperor, and after to the Duke of Saxony, he received this answer from the last, that he condoled with him for his father's death,—and that with a great Dutch invective against the murtherers, and his rebellious subjects,—but withal told

him the poor and unable condition that Germany was in, yet he would do his best when the allyed crowns and neighbors in peace and war, and the United Provinces, would shew his president what to do, for he must regulate himself by them; and withal, that the thing was not done by all the kingdom, but by a part; therefore he should rather endeavor to win them by fair means; and no doubt when it comes to parting with money, he will finde the like assistance; it is like enough he might get men, if he could get money, for all would be glad to be rid of disbanded soldiers, whose thieveries are otherwise like to be as mischievous as was their war.

LIX

LETTER FROM PARIS

(Extract)¹1650.
May $\frac{1}{12}$

THE little queen is still at the Carmelites. The letters from the Hague of the third instant do intimate some fears of an ill success of the Treaty at Breda; and those from Colne² say, that Count Voldemar³ was come thither from Breda, having refused to accept of the raising of forces for the proclaimed King of Scotland, because he hath no money; that the said proclaimed King would fain take some Germans into his service, whereunto the Scotch Commissioners will not hearken, saying, that they will not impose a yoke upon themselves, looking onely for money to assist their King by their own nation, being confident to find more friends than foes in England.

LX

PRECIS OF LETTERS FROM THE HAGUE

(Extract)⁴

Extracts of several Letters from the Hague, the $\frac{1}{2}$ May 1650.

I CAN give you no certain account of the Treaty at Breda,

1650.
May $\frac{2}{12}$.¹ *A Brief Relation*, May 7-14 (E. 600, 14), p. 544.² Cologne.³ See p. 79, n. ².⁴ *A Brief Relation*, May 7-14 (E. 600, 14), p. 541.

and for ought I can learn they are not agreed, onely they agree very well in keeping their negotiations secret, notwithstanding their frequent and hot contests: Lauderdale is newly come thence to this town, for to intreat the Prince of Orange not to dismiss the players, his master intending to be at the Hague very suddenly. The chief of the Royal party give out to their confiding friends that the king hath been very lavish in his condescensions, but the Scottish rigidity is not to be overcome.¹ We look for the Scottish Commissioners here this night.

LXI

RICHARD WATSON TO WILLIAM EDGEMAN ²

MY DEARE BROTHER,—(To make no impertinent præface in this surprisal) the treatie hath been caried on with strange privacie, so y^t I could not weeklie send you any thing of concernment and certaintie, what I could I did, and must be at least excus'd if not commended. It is now ended (I thinke on Monday³ night) and so much of y^e mysterie reveled as makes every honest subject's heart ake except some poor still deluded people. What articles were insisted on you heard, y^e most and onelie thing bragg'd of to be præserv'd from dashing out is y^e last pacification or agreement wth y^e Irish, w^{ch} is deferred, for I know not what time, or referred to I know not whom. Our religion is gone, and within few dayes is expected y^e funerall of our Liturgie, w^{ch} is dead allreadie. The Scottish Ministers were yesterday with Rivet to consult what way best to take to remove the King's Chaplaines, and place themselves about him. When that is once done, y^e fine new pageant will be seen or heard rather in their preachments. The King is shortlie to remove unto y^e Haghe, and thence unto his ——. ⁴ To call y^e greatest abettour of this whole businesse yet a Presbyterian breedes a mortal quarell, so much ashamed are they

1650.
May 12.

¹ Evidently the writer did not know that Charles had signed the agreement with the Scots' Commissioners at Breda on May 11. See p. 85, n. 1.

² *Clarendon MSS.* vol. ii. No. 306.

³ April 29.
May 9.

⁴ The blank is in the original. Probably the writer meant to indicate that it was no real 'kingdom' into which Charles was going.

of themselves. What becomes of us I know not, but we wash our hands of all iniquitie as in reference to treacherie and treatie. God be thanked for it. I will travaile to y^e end of y^e world rather then to my damnation in Scotland. The Rebells in England laugh at y^e whole businesse, and may well enough, being assured they shall get by it more of y^e Kings friends to be engagers, then y^e Scots can to be covenanters. Your brother Secretarie will acquaint you quæstionlesse with greater secrets. I will tell you in your case y^t y^e Scots laugh at our complying Lords allreadie and those that doe not they commend for standing on their conscience though misguided, and promise them farre beter termes then they meane to give y^e other, if they could decoy them over. You know S^r William Boswell is dead, if S^r Ed. Nicolas refuse to succeed him, as I beleeve he will, it is thought Mr. Denham shall have it, two much different persons to be in competition (for so it is mistaken) for y^e same place. Crofts shall shortlie be furnished for his Embassie, w^{ch} holds. Rainsford is gone wth y^e good newes to Paris. We are all in confusion, and I not in the least, as you may perceive by my writing. Great contests have been last weeke at y^e Haghe about y^e cashiering, w^{ch} is now layd aside, and y^e Prince of Orange is to finde an expedient to please two opposite parties, y^e States General and y^e States of Holland, w^{ch} he hath undertaken. Whether in order to that or no I know not, he hath taken up 200,000 pounds sterling at Antwerpe upon what morgage or securitie I can not tell you. How neare your charge was to take her voyage you will understand by this inclosed. She sends me word she heares that Mrs. Freeman¹ is dead in Ireland, we have no certaintie of it here. If it prove true, I beleeve she may have y^e place in extraordinarie, and perchance in ordinarie, if one to whom a former grant is passed comes not out of England. Mr. Lisle and I are plotting for her: you must expect no more from me now till my head is beter settled (not y^t I have dranke too much of wine or joy for y^t hapie conclusion as folkes call it). Looke you make me amends at length for two or three leters supernumerarie; and send me some merie Spanish stories to

¹ See p. 63.

crowd out my thoughts of y^e louzie Scots. My humble service to y^e reverend Deane of Elie, my respects and heartie love to Mr. Cloterboke, my severall concernment to all else on both your sides.—I am, Deare brother, yours immutablie y^e same,

R^I. WATSON.

Breda, May 12, 1650.

Sir Phil. Carteret in Jersey is privatelie married to y^e beautifull M^{rs} Anne Dumaresque. Mrs. Chace brought a-bed there of a boy.

My respects to Mr. Wainesford whom I perceive by my brother Trethewyes superscription to be with you at Madrid.

[Address] For my deare friend Mr. William
Edgeman, these
Madrid.

[Indorsed] Mr. Watson, May 12, 1650.

LXII

J. P. TO ————. ¹

SIR,—Having lately crossed the Alps in Italy, I am now returned to fair Breda, a town smelling with delight, gallantry, and wealth ; whose artisans are very rare and eminent, both in the schools of Mars and Venus ; and indeed so beautifull is the fabrick, that the King of Spain formerly said that she was fitting to be shewn and seen upon Holy-dayes, by reason of her great worth and excellency, in training and nursing of the most true-bred cavalry.²

In which beautifull place (during my residence there) I made the treaty my chieftest object ; the transactions whereof, between the Royall-party and the Scots, I seriously re-viewed with an eagle's eye ; and because I will not deceive your expectation, nor leave you unsatisfied therein, I shall presume to salute you with an exact Summary, of the most remarkable

1650.
May 16.

¹ An *Exact Summary of the Transactions of the Treaty of Breda* (E. 602, 6).

² *Caballeros*, i.e. gentlemen. The word 'cavalry' is sometimes used in the pamphlets of the time for the cavalier party.

occurrences that happened in their disputes, and consultations ; which were as followeth :

The Commissioners (on both parties) for many dayes, having been very private in their negociations, their results are now come to some maturity ; occasioned by the Commissioners' last finall and declaratory speeches and propositions ; where in plain terms they laid open to their King's view, the apparent and inevitable danger that threatned him if he still persisted in his evill wayes, depending and hearkening too much to the advice of his corrupted Counsell ; and that if he did not speedily cast them off, and unfeignedly embrace the advice of his subjects of Scotland, they would (for the future) make no further addresses unto him ; and therefore humbly desired him, speedily and effectually to give in his finall answer to their desires and proposals ; to the end that those judgements might be prevented, which so inevitably threaten the destroying of the cedars of his late fathers house. And first, they humbly desired, that he would graciously be pleased to sign and subscribe to the solemn League and Covenant, and to give his assent for the setling of the Presbyterian Government, throughout his dominions. To which particulars he answered, that as for the Covenant, he held it both unnecessary and unsuitable for him to signe thereunto ; it being a thing proper for the obliging and binding of the people more firm and stedfast in their lawfull obedience and loyalty to their Sovereign, rather then a Sovereign to take an oath to be true to himself, and the preservation of his own person, which by the laws of God and nature he is bound to perform, etc.: further intimating that he would give his consent for the propagating and tendering the same to all his subjects, for their subscriptions, etc., so that himself might go free : but this would not satisfie the Scots, for they have other ends to serve upon him.

From this branch, the Commissioners insisted upon the next, which was, that he would be pleased to give his assent for the setling and establishing of the Presbyterian government, which after he had a while maturely debated thereon, he replied that he would freely assent therunto provided that he might enjoy liberty of conscience in the way of episcopacy,

and that he might have the continual use of three of his Chaplains, to administer, and practise with him, and that they might have free leave to go along with him into Scotland. But this was absolutely denied by the Commissioners, urging it was against their Covenant, and they seemed to be much displeased at the motion, and said, it was in vain to treat, if he stood that way affected.

Lastly, they earnestly implored him, that hee would be pleased to condescend that the militia of that kingdome might continue in the hands of such as the Committee of Estates should confide in, for the preservation of the kingdomes peace and tranquillity, and putting it in a posture of defence, in case of any opposition or attempt; to which he replied, that he could not in honour give his assent thereunto; but (because he would not altogether leave them unsatisfied in their desires) for five years, hee most freely gave his condescension; desiring a blessing from heaven therein to accompany them.

But the Earl of Lannerick (foreseeing what would ensue if the Treaty took not effect) implored him to signe to an agreement and to give his condiscention to those particulars before related. By whose perswasions, he assented unto them, and consented to an agreement; and I was certified by a gentleman of very good estimation, that he heard Dr. Rivet (tutour to the Prince of Orange) affirm that he was an eye-witnesse of the King of Scots signing the agreement, and that all things in debate between the Commissioners were concluded on the first of this instant May.¹ And that a messenger was forth-

¹ The date usually given is May 3d; I do not know on what authority unless it be the account given by Balfour (vol. iv. p. 73) of the 'Acts ratifying the treaty with his Matie at Breda, consisting of 4 artickells, with the explanations thereof, of the dait 11 Junii, and 13 of Maij, 1650.' That this latter date is merely a misprint, or error of transcription, appears from the Act itself (*Acts of the Parliaments of Scotland*, vol. iv. part ii. p. 601), where we are told that 'the King's Majesty hath been pleased to give a full consent to the propositions given in to his Majestie by the Commissioners of the Parliament of this kingdom, contained in a paper bearing date 11 June 1650,' namely the treaty signed off Heligoland on that date (*Clarendon State Papers*, vol. ii. App. lxiii.), 'and that thereupon his Majesty was invited by the saids Commissioners in name and by warrant of the Parliament to come to his ancient kingdom, according to an Act of Parliament of the date 18 May 1650.' Not only, therefore, is Balfour wrong in giving the date of May 13th, but the real date of May 18th refers not to any agreement between Charles

with dispatched into France to the Queen from her sonne wherein he certified her that the treaty was finished, and that he had made an agreement with the Scots Commissioners, and yeelded to most of their demands in relation to themselves, but with provision for the royall party.

It is likewise reported that the Covenant is to be imposed on none in England, but all that will take it may; and likewise to be authorized and allowed of in all that have already taken and subscribed thereunto; and that he hath also condescended to conform himself to the form of Divine worship in Scotland; which I cannot be perswaded to give credit to. But this is done chiefly by the Lord Lannerick, who hopes (by giving all that is demanded) to bring the demanders into a condition to lose all they have got, and to frustrate their expectations in what they really thought to have accomplished. For divers of the royall party leaves no means unattempted for the propagating monarchicall interest, and have earnestly solicited the Duke of Lorain (as I am very credibly informed) to give his assistance therein; which (if the Peace between France and Spain could be effected) would be ready enough to do you a mischief; and Scotland would be made a trap-door (secretly) to let in your enemies; therefore be wise, and secure that passage this Summer, lest missing so fair an opportunity, you repent when tis too late.

As soon as the treaty was concluded, the Commissioners dispatched a letter to the Committee of Estates in Scotland, with a copy of the Articles; desiring a confirmation of the same, the Lord Louthian and the Lord Liverton,¹ being confident they will prove satisfactory to the Kirk and State, but the Earl of Cassels and others, are of another minde.

But the counsels by which these things are carried are not primarily Presbyterian, for the Queen of Sweden's Secretary

and the Commissioners, but to an Act of Parliament. Under that date occurs the following entry:—‘The paper contean[ing] the instructiones to the Co[m]missioners (who went with his Majestie) redd, voitted and past in Parliament’ (*Acts of the Parliaments of Scotland*, vol. vi. part ii. p. 564). The invitation given by the Commissioners upon the acceptance of the terms by Charles was dated June 1st (Clarendon State Papers, vol. ii. App. lxx.).

¹ George Winram of Liberton.

(here resident during the treaty) seems greatly affected to monarchy, and hath given large promises from his mistresse for the propagating thereof; which occasioned a great rumour, that if the Scots had not answered their expectations (by receiving of what promised in way of condescension) that their declared King would go into Sweden, giving out (how true I know not) that a marriage between the Queen of Sweden and the King of Scots could not be unacceptable to her Councill.

But yet notwithstanding all this, the royall party here seems to be exceedingly crestfaln, and much cast down, by reason of the falling off of many in place and authority, who formerly promised them aid and assistance, and that which doth at present so much distaste them is the receipt of an extract from Hamburg; wherein is intimated the arrivall of Mr. Richard Bradshaw, Resident for the Parliament of England, who was very joyfully received, and entertained with a gallant volley of great shot, and a noise of trumpets. Upon his going to audience, he was accompanied with severall coaches, and divers English merchants, and others of good quality: where having delivered his embassie with an excellent grace and singular oratory, the States seemed to be exceedingly pleased thereat, shewing good affection to the present Government of England, and withal declared that they desired nothing more than a constant and perfect league of amity and friendship with his masters (the States of England and Ireland) and that nothing should be wanting in them for the due observation and performing thereof; with some other declaratory expressions much to the same effect.

Here are divers Commanders (both English and Scots) who daily look for employment, and are perswaded the Scots, etc., will engage against England this summer; but as far as I can gather (by their agitators in these parts) there is little probability. Notwithstanding I shall diligently attend their motions, and if I can attain to any thing worthy your acceptance, be confident it shall be communicated to your knowledge by your most affectionate servitour,

J. P.

Breda, the 15 of May 1650.

LXIII

LETTER FROM BRED¹*Breda, ⁹/₁₉ May 1650.*1650.
May 1⁹.

WE are still here. I had thought we should have been gone before this time to the Hague, but we are such a crew as nobody desires our company. It was fully resolved we should have been before this time at the Hague, but here hath been one Myn Heer Heinfleet,² the Lady Stanhop's husband, who was sent to cross it, who hath effected it; how we shall stay, I yet know not; we become horrible politique here, and things are kept under such secrecy as I know not what to affirm for the truth. The very favourites differ in their reports, whether to abuse us that are of the tribe of club Intelligencers,³ or because they know not, I cannot determine: but the business is among a few, and a supper or pottle of Rhenish can do little now as to picking of locks, though both our purses and bellies are empty enough: but by all the circumstances I can observe, I believe certainly they are agreed, but cannot send you the particular articles of it: one told me that D^r Rivet, who was the Prince of Orange's Tutor, said that he saw the Prince sign the agreement: this D^r Rivet was made use of (as being a man who for his great learning, the Kirk Commissioners had a very great esteem of) to soften something the Kirk Commissioners, which was thought by some to be a special artifice, that by seeming to draw them down to consent to some modification and expediency, there were an intention to keep it, whereas it serves only to fix them in that dream, till they may awaken to the remediless discovery of that deceit.

And indeed, they already begin to see they are in danger, and I perceive by many of them, they have no great minde their King should go presently to Scotland. The truth is,

¹ *A Brief Relation*, May 14-21 (E. 601, 12), p. 570.

² Heenvliet. His letters giving an account of the conduct of Charles I. about the time of the attempt on the five members are printed by Groen Van Prinsterer, *Archives de la Maison d'Orange-Nassau*, series ii. tome iii. pp. 494-504; tome iv. 1-27.

³ Reporters of intelligence from places where people meet together.

Hamilton hath had the chief hand in this business, and hath governed all, and when ever their King goes home, he and Lautherdail and Calander and Dumfermling, will be the men that will carry all, and whatever becomes of Montross himself, of whose being routed and beaten we have some rumours, yet these men will, by the men of that faction, carry on the design to the same end to which the former Hamiltonian party would have carried it: but to the end they may do it with the less opposition, and make the Kirk their instrument, which the late Duke Hamilton disoblighd, they are now resolved to omit nothing to perswade Argyle that they perfectly trust him, but their intention is to have him thereby fully in their power, and without guard. Believe it, I have it from those who will have the rule there, they perfectly hate Argyle and his Kirk, and speak of them perpetually with indignation, and will destroy them if they prevail: and yet they are so blinded with the vehement desire of their end, which is to make a conquest of you, against whom they perpetually blab out more hate and malice then suits the decorum of Kirk Commissioners: and tis observable to every one that but observes the Language that drops from them, that they dote not so much upon the person of their King, as hoping to make use of his pretensions for the sweet Morsels of England.

And on the other side, you would see if he could anywhere get money for their entertainment, he would rather do his work by strangers than by Scots. Here hath been Carp the Hessish General to offer Forces, but there must be money; and besides, he is very angry that Count Woldomar, the late King of Denmark's natural son, whom he thinks nothing so considerable a man as himself, should get the Command above him, but there is yet money for none of them, nor hardly for anything else; for though there hath been great boasts that the Prince of Orange is borrowing £200,000 at Amsterdam, which they give out is for the Prince; yet others who know what great debts the Prince of Orange is in, and that this money is procured upon the mortgage of lands, by those who are to receive the greatest part of the money, do laugh at those gulleries, and say they are onely out to keep up a reputation, that while they can do

nothing, it might not be thought to be out of a simple incapability, but onely an unreadiness. The Commissioners have at last procured 5000, part of the 25000 they were authorized to take up in case they should agree, but they do not give it out so freely as is here desired, and there are so many assignatures made thereupon, as 'tis impossible they should be all paid. Hopton is gone hence to Vtrecht discontented, because he is not trusted to know the particulars of the Agreement; and Nicholas is also going away upon the same ground: Dr. Morley hath been sent to Salmatius with a Letter of thanks from the King of Scotland, for the Book by him written, called *Defensio Regia*. Here hath been lately the Bishop of Derry, his name is Bramble or Bramhal,¹ he complains much of the want of intelligence, saith they have had none these three moneths; complains also that the King of Scotland retracts his Commission granted to the Irish Papist, and that if he do so, they will destroy all the Protestants in Ireland who are in his service, and that he hath no way to carry on his service in Ireland but by the Papists; to this the Scotch Commissioners say that article was put in to satisfie the Kirk.

The King of Portugal sent thither a Franciscan, one Dalley, an Irishman, said to be a man of parts; the King sent him into Ireland, but have not since heard of him.

The Bishop of Derry is to return, as they say, with assurance given that the Commission given to the Irish shall not be recalled. William Murray I hear hath given over his design of raising 1000 Horse for want of money; I dare undertake if they could get money, you should want no enemies, but there would be Goths and Vandals, and Danes and Germans, and all sorts of strangers enough to trouble you, and to teach the zealous Kirklings more wit then how to serve their ends and passions by such assistance. I can assure you, both the Archduke² and the Duke of Lorrain hath been earnestly solicited against you, and they give good words, and could the Peace between France and Spain be effected, they would both be ready enough to do you mischief; and Scotland would be made but a back-door to let in your enemies, therefore, if you be wise,

¹ Bramhall.

² The Archduke Leopold.

shut that back-door this summer, and then you will be safer next ; you know not what one year may bring forth, this is so far spent as 'tis not likely you can be much troubled from abroad, you have advantage if you know how to use it, and you are in danger if you do not. The counsels by which those things are carryed are not primarily Presbyterian ; they consult of those things elsewhere, and the combination is more general, *verbum sapienti sat*. The poor Presbyterians think they do all, while others laugh at them in their sleeves, and determine they shall suffer first, or if not so, yet most ; indeed of all others they are most under, their hate and scorn here is one Cunterstein, the Queen of Sweden's Secretary, who hath given many good words and great promises from his Mistress, which makes him much relyed upon, so as it hath said, if the Scots did not answer expectation, the King would go into Sweden. And they talk here as if it were given out by Cunterstein (how true I know not) that a marriage between the Queen of Sweden and the King of the Scots would not be unacceptable to the State there ; and that the business between the Palatine of Sweden and her, who was said to be assured to her, is not irrevocable. I have troubled you with a long discourse, but was willing to write you all I could know or observe, the subject being of concernment. But the secrecy being now so great as it hath not been heretofore, there being, as they report, oathes of secrecy on both sides : I cannot answer for every report, but have sent you what they discourse who have best means to know ; what judgement to make upon it I leave to you, but am satisfied that in most things the King and Scots are agreed ; and that this is done by the power of Hamilton, who hopes by giving all that is demanded, to bring the demanders into a condition to lose all they have got. And I am perswaded the first thing they will lose will be the people of Scotland as soon as ever their King comes there. And really they begin already to fear his going, and will do all they can to keep him here : But the Prince of Orange, the Queen his mother, the French, the Swedes, and Hamilton, do wish him in Scotland, but it seems there is some [thing] further to be done first, which the Commissioners have not power to grant till they hear from Scotland, so as they will hardly venture to transport his person

till they hear from thence ; 'tis like when he doth go, he will go in some Zealand Ships which may be easily procured there by the power of the Prince of Orange ; besides, that province is no friend to you, notwithstanding their dependence upon England, which some wonder you do not make them understand.

LXIV

PETITION OF LIEUTENANT-GENERAL VON KARPFEN ¹

For the King's Most Excellent Majestij, the Most humble Memorial of Lieutenant General Johan Adam von Karppen.

1650
May [?].

HIS MAJESTIJ will graciously bee pleased to remember, that when the said Lieut. Gen^l. was in treatij with the Archeduc Leopold, about 8000 menn, he was required by the King's letter to repaire to Hagve, where he thereafter agreed, with his Excell. the Marq. of Montrose, for the raising of a corps of High Germans, to the Kings service, and to haue for himselfe 3 Regiments, on of horses, an other dragoons, and on of foot : where uppon to procure monijes, he was sent to diuers princes, electors and others : but before this, his Majestij promised him bij the Marquis of Montrose, and Sir John Cokeran, that he should haue a soccuurs of monies within a moneth, so that he was put in certein hopes to receiue immediatly from the Prince Elector of Brandenburg, a certaine summe,² without feale, which howeuer all did faile hetherto, he most humblij intreateth, therefore, that his Majestij would bee pleased to take in a gracious consideration these following points :

1

That with all core³ and diligence, as also with a due respect he hath been gone about his entrusted commissions and credentes, the answers where uppon, and the resolutions he hath brought in te letters deliuered unto his Majestij.

¹ *Carte MSS.* cxx. fol. 113.

² This throws the date of the transaction to June or July 1649. See *Deeds of Montrose*, p. 252.

³ Care.

2

That uppon the aduice of the prince Elector of Maience, he repaired to Nürenberg, and sollicitated a joynt assistance of the whole Roman Empire for the Kinge, the which he hath brought on so farre, that there is no doubt of it, but since the conclusions at Nurenberg was delajed from on weeke to another, he thaught fit to come hether and doe relation of it, howeuer did leaue an agent there expresse that nothing should bee neglected.

3

That he hath spendeth a hugh deal of readij monijes, beeing about it as an Embassadeur Roijal this whole yeare, and since he neuer receiued anij farthing as ijjet, he most humblij intreateth, that he maij bee reimbursed, and made able to bringe it to a perfection, and not to loose so manij praue menne, which hetherto, uppon his parole, did leaue all other conditions and stajed for the kings seruice, of whome, on Colonel Hamerlink who hath been Ingenieur General in the Emperour's armee, is come hether with him, uppon expresse command of the Marq. of Montrose, and stajed full 8 moneths for this seruice.

4

That him maij bee kept, what in the latst yeare was promised, vz. the leauij monyes not onlij for his 3 regiments, but also for the whole corps, and especially what concerneth the German Guard of the Kinges, like yet of late the Marquis of Montrose hath assured him of it bij an expresse, as he can shew the assurance thereof unter hand and seale.

5

Concerning the credence to the Prince Elector of Trier, he hath brought it bake aigain, because the Prince beeing in difference with his capitel, till the agree, nothing can bee done there.

6

That his Moiesty would bee pleased to take all this in a gracious consideration, leting him and the aboue named Colonel haue a speedij dispatsch, he most humblij intreateth;

and will farther, to his uttmost power, spend his liue blood and good for the Kinges seruice.

[Indorsed]

Mons^r Carpf.

LXV

DECLARATION BY CHARLES II. IN FAVOUR OF LIEUTENANT-GENERAL VON KARPFEN¹

1650
May $\frac{1}{20}$.

HAVING taken special notice, by divers answers and writings of the Electors and Princes of y^e Empire, which have been delivered to us by y^e Lord Liftenant Generall Adam von Karpf, at his returne from Germany, where we send him intrusted with Our letters and Our Orders, towards some of y^e said Electors and Princes, that he behaved him selfe in that Employment very well, with all care, diligence, affection and honour for vs, and for y^e affaires we Comited to him, and as we are otherwayes fully satisfied of his Conduct and Experience in warre, and all Millitary Businesse. We declare by this present that we are resolved, not onely to make vse of y^e said Lord Liftenant General von Adam Karpf in our Armee, and to put him in an Employment worthy of his Condition and Merit, but also to satisfie him, and give him recompence honourable and sutable for y^e peines and great Expences he hath been at in his said Employ in Germany as soone as God Almighty will bee pleased to Restore us, or put us in a capacity to do him that aknowledgment. from Breda the $\frac{2}{10}$ of May 1650 and the Second of Our Reigne.

CHARLES R.

LXVI

SECOND REPORT OF COL. KEANE²

Account of my Journey into England.

$\frac{1}{20}$ th of Maye.

1650.
May $\frac{1}{20}$ (?).

I WENT from Breda the 10th of Aprill,³ arriued att London

¹ *State Papers Domestic*, vol. ix., No. 53.

² *State Papers Domestic*, vol. ix., No. 54.

³ March 31.
April 10.

the $\frac{1}{5}^{\text{th}}$: spake the next day, with S^r N[icholas C[risp], deliuered him the King's letter and his awnsweres concerning his queryes about engagement, etc.¹ All was uery satisfactorie and welcome to him. Concernyng that particular of assisting the king with mony, naming of Treasurer, remitting it to his Ma^{ty}, etc. all endeuour and dispatch was promised by him both for himselfe and the others, but those particulars of treasurer, gathering, remitting, etc., not thought fitt to bee brought to any formall method, by reason of the extreame daunger of communicating to many any businesse of that nature or indeed to any, only each man in his particular to consider and resolute of his owne abilityes and will; what soumes, when, and how to send it, and their desires of not so much as enquiring whence, or from whom it came, when any should bee sent. the like promised and desired by some others to whom I communicated the King's present desires and wants of money: but I found generally in all so great an apprehension of the difficultye of returne without discouery of persons that I could not presume of any certainty in that kind only this was said that what was now spared that way should bee decimated² when a free opportunity was offered. When I had staid 4 dayes in London about putting this forward, vpon consult and aduice from S^r N. Cri[sp] and others, I went into the west to informe my selfe of the forwardnes of affaires there. The first man I spoke withall was S^r Jh. Arundell,³ who was uery glad to vnderstand of the Kings kind acceptance of his propositions, and that his M^{ty} approued of the choise of S^r R[ichard] G[renville]. What hee had first promised by mee assured mee againe should bee performed vpon the conditions first proposed. I spoke next with M^r Couentry,⁴ who is also uery forward, and resolved to engage life, interest and fortune when the occasion offers, is of counsell and correspondence in the westerne designe, thence to M^r Kirkton, S^r Henry Bertley, M^r Windham,⁵ M^r Philipps,⁶ and

¹ For this and much of what follows, compare No. xxx.

² This perhaps means made up to ten per cent. of the subscriber's property.

³ Sir John Arundell of Lanherne.

⁴ Perhaps John Coventry, the second son of the late Lord Keeper.

⁵ Probably John Wyndham, of Orchard in Somerset.

⁶ Probably Edward Phelips of Montacute.

Mr Giles Strangwaies,¹ who all correspond therein and act each one verry zealously to aduance the Kings businesse, espetially Mr Francis Windham, who presumes to obtaine Weymouth, either by corruption of the Gouvernour or surprize, when all other thinges concurre. Hee correspondes with all, both east and west, in that designe. I receiuid notice heere of a meting of my Lord Beauchamp, Sr Jhon Arundell, Sr William Courtney, and many others at Salisbury, vpon pretence of being att a race, but purposely to treat of the King's businesses and to send backe their resolues by Mr Jhon Seimour,² who came thether out of Deuonshire with Sr Chichester Wrey. I was desired to bee there and thought it expedient to desire also some verball account from them, Mr Seymour being to receiue the literall,³ that if one failed, the other might come to the King to giue him satisfaction therin. All theese and many other met there accordingly and after three or fowere dayes conversation together each went his seuerall way, only Mr Seymour, Mr Richard Pile, and my selfe appointed a meeting the weeke following at Sr William Courtney's, there to receiue our finall dispatch from my Lord Beauchamp, which Mr. Seymour had from him by letters on the first of May, and I had a verbal relation of the somme of it from Sr William Courtney, which was in effect that the much greater part of the western gentry were all resolved to engage that each man was to bring on his proportion of horse and men and armes, euery one proportionable to his power and estate; that there were endeuours for seuerall townes and places of strength, assurance of some, particularly Exeter and Poole, that they could not declare till the enemyes Army were drawen farre northward, and engaged or neere engaging with the Scots; that the proportion of Foote promised them by the King were sent and landed neere Exeter, or beetwene Weymouth and Lime, that some horse armes, espetially sadles, some amunition, and most of all

¹ Eldest son of Sir John Strangways.

² See two letters of Lord Beauchamp, the eldest son of the Marquis of Hertford, in *The Nicholas Papers* (Camden Soc.) vol. i. pp. 178, 179.

³ *i.e.* the one by letters.

⁴ He brought messages from Lord Beauchamp and the western Royalists to Charles II. soon after his arrival in Scotland.

match were brought with those foote, that timely notice were giuen to some one of the principall correspondents of the time of sending theese men and armes, that hee might informe the rest to bee readie at the hower,—they assuring themselves of many of the horse, and of these there was only one regiment in the west vnder Colonell Desbouroug, which consisted of 6 troopes, in all about 300. those dispersed in Cornwall [Devon], Dorsett, Somerset, and Wilts, many of them drawne Eastward since theire garrisons of Foote uery small and weake, the whole country one and all readie to rise and engage when the signe is giuen, and many of their owne party well enough enclined to leaue them :—all theese particulars promised them vpon performance of the forementioned conditions and also that if a good oportunity offer they shall not stand so nicely vpon some of them alwaies supposed that the gentry bee not euery where therabout seised on and secured as is somewhat feared, they hauing beegunne it in Cornewall with S^r James Smith, S^r N. Prediox, S^r Charles Treuanian, old Mr. Arundell, Mr. Noy, Grills, Pipe, and one or two more, but haue since set them att libertye vpon their engagement not to stirre. The Parliament's officers and Comissioners neere them pressing the engagement generally westward, which was by most refused, and resolued to bee broken by those that tooke it. They were also vpon designe of listing a new [Militia] of horse and foote, and were feared to intend a seizure of all horses of those who had not taken the Engagement: this howeuer will not hinder a surprisall of a uery good number of horse in Wiltshire and Hampshire, where are great store of good horses of husbandmens if other thinges concurre.

Mr. Seymour, Mr. Pile, and I, after some narrow escapes, parted at Winchester the $\frac{2}{12}$ of May; they westward and I to London, where I informed my selfe, as well as I could in so dangerous a place, of occurrences from such persons as I could find and meete and speake safely withal. The first was Mr. Cornu, who is still actiue and industrious in the King's seruice, his account was, which hee desired mee to deliuer to the King, that the Parliament were uery fearful to draw their army together, that they suspected some high demaundes would bee made to the Parliament or their Generall by them at their first

rendeuous; that they were not assured of Fairfax and have therefore sent shippes expressly for Cromwell not admitting a reply; that they could not yet march in ten or twelve dayes at soonest, their traine of Artillery being not readie; that when their army should be drawne together, hee would loose his head if euer they marched in to Scotland with aboue 12000 men; that most of these were such as had formerly serued the king, whom hee did hope might vpon their first [panickes?] bee drawne to desert them when the King appeared, or an army with some English Generall and commaunders for him. A princippall motiue also to facilitate this would bee a discontent they had taken at the non payment of their arreares to them, and that most of their officers had theirs satisfied out of the King's [Dean] and Chapter, etc., lands: that it would bee uery pertinent to send out some declaration amonges the soldiers when the King should bee in England to invite them to him assure them of all their arreares, good entertainment, and pardon. Hee also assured mee that a Friend of his who dined on Saterday last with S^r Henry Vane the Younger, Mr. Baily, and Judge Thorpe, and was one who had formerly beene theirs though nowe converted, but did still comply with them so farre as not to make him-selfe suspected, told him for certaine, that after Dinner being all 4 alone, they fell into discourse concerning their present condition, that S^r Henry Vane said that they were in a farre worse estate then euer yett they had beene, that all the world was and would bee their enemies, that the Scots had left them, their owne army and generall were not to bee trusted, that the whole Kingdome would rise and cutt their throates vpon the first good occasion, and that they knew not any place to goe vnto to bee safe. the other two by their like speeches apprehended the same, and Baily added that they should find London also their gretest enemy when their army was drawen north, and [therupon] wished it burnt to ashes to bee secured of that feare. This was faithfully and truly related to M^r Cornu. Hee told mee also that the seamen were extreame backward in seruing them, that hee did confidently beeleeue they would neuer fight against the Kings nauie if euer they should meete them. much lesse if his person were there, but rather come and ioyne with him. that what is done at

present is by compulsion and force of purse giuing extraordinarie pay the Comon seamen aboue 20^s a p month and the land Soldiers 2^s a day all their march. Hee likewise beeleeued that the City would bee uery forward if their army were ones engaged with the Scots, and noe great force left to hinder them. at present only Bagster's¹ Regiment of Foote was there, and some few horse, it was feared some new auxiliaries would bee added, but yet no great trust could bee reposed in them. From Mr Christopher Bodington I had this Intelligence that hauing spoken on Saturday and sunday with some of the Councill of State, with whom hee outwardlie complied, hee vnderstood from them that their Intention was to march with their army as soone as they could make it readie into Scotland, and vnlesse they were stopped to aduance as farre as Edenborough and therabout, that they would there make there principall quarter, that in their march thither and there also, they would not at all burden the Cōmons but pay duely for what they had, that when they should bee there they would invite all the comon people of Scotland into them vpon promise of diuision of the Gentrye's and Nobilitye's estates amongst them, and assurances of liberty, Freedome, and other such like allurements. they saied also that they were now deceiued in Arguile, Lesly, and others whom they had formerly confidence in. that, notwithstanding their vnion and agreement with the King which they presume concluded, they did not so much feare them, as they did some force landing in some other part of the kingdome and the ioyning of the dissaffected English to them, and their taking aduantage of the farre distance of their army. In fine hee found them not so confident of their settlement and durance as formerly, but full of feares and despaire. From Mr White, who formerly beeloned to my Lord of Dorset, I had in a manner the same account, and this also that the City were resolued to act zealously when occasion offered, that nothing but extreame daunger hindered their present supplying the King with monyes, what was expected now should bee performed tenn times as much when a free opportunity was offered. the

¹ Berkstead's.

substance of part of this I had from one or two more. The last I spoke with was S^r N. C. whom I sought out purposely to know what had beene or could bee done in furnishing the King with mony and whether any longer stay there would bee necessarie to returne any message from him or his Friends to the King. His awnswere was that they had done in that particular of mony and would still prosecute to doe what possiblief they could, but that neither his ma^{ty} nor any other should know either from whom or how it came if any mony were sent. only the vse of it referred to the King. that those fower shall neuer bee failing in their vttermost endeouours to serue him in all kinds. they promise the same for many others very eminent and [lea]ding men, particularly by name M^r Colwell. Hee thought my stay longer not att all necessarie but rather extreamely dangerous both to them, and my selfe, and assured mee they should and would doe as much as if the King were at their elbow. Hee humblye¹ desires the King would make himselfe as considerable as possible hee can att sea, notwithstanding hee hath the same opinion of the English seamens Inclinations and affections as the others. Hee conceiues that any forr[ein] force and as numerous as may bee bee made vse of, that what is got bee landed in Dorsetshire. Hee assures that if the Parliament bee well busied in Scotland the City will also raise them a new trouble. Vpon some conference hee had lately with Bradshaw, hee was told by him that hee wondred much that all the faire or foule meanes they could vse yet not any one caualier was heartyly converted to them.

[Indorsed] R. $\frac{10}{20}$ Maij. 1650.

Coll. Keynes account the west.

LXVII

CAPT. MEADE TO SEC. NICHOLAS²

Stockholme, May 11, 1650, old style.

MOST HONORD SIR,—I shall not euer forbear to importune you wth my Letters though I haue as yett continued so infor-

1650.
May $\frac{11}{21}$.

¹ Erased in original.

² *State Papers Domestic*, vol. ix. No. 56.

tunate as not to bee honord wth any from you. The last weeke I sent to Sec^{rie} Long this copy of my Lord Eythin's letter in satisfaction to his demand vpon mee in a letter from him, what vigour there might yett remaine in y^e former proposition made from hence concerning the King's coming hither. And though I had not then time to informe your Honor of y^t businesse, yett I resolved by this post to send you both a Copy of y^t letter, and of those propositions there in mentioned, w^{ch} I forebore to send to M^r Long, because Lo. Hatton had allwaies charged mee to correspond onely wth you in y^t poynt. What I then presented to her Ma^{ty} of Sweden was y^e result of M[arquis] Montrose's advise, w^{ch} according to my instructions I was to follow. I haue not these six weeke had any opportunity of speaking to y^e Queene here in person, but I haue receiued some promise from her Ma^{ty} y^t my dispatch shall bee among y^e first things y^t passe y^e councell as soone as shee shall be in so confirmed health as to appeare there. I haue liued here in a greate darknesse in respect of affaires about his Ma^{tie} and cannot now hope to receiue much light in this place during my abode. Howeuer if you would be pleased to lett yo^r Cōmands vpon mee passe through M^r Wayte's hands I am confident I shall assuredly meete wth them: and they shall allwaies most punctually be obeyed to y^e vttermost power of, Most Honord S^r, Y^r most humble and most faythfull Servant,

ROB. MEADE.

[Indorsed] 11^o Maij 1650, old stile. R. at y^e Hague $\frac{7}{17}$ Junij 1650. Capt. Meade sends me coppyes of his pposiçons dd to y^e Q Swede. and of Lo. Eythins tre to lo. Jermyn about that Q^s invitaçon of his Ma^{tie}.

LXVIII

THE SCOTTISH COMMISSIONERS TO THE COMMITTEE OF ESTATES ¹

RIGHT HONORABLE,—Since our last by our Secretarie wee have little wherewith to acquaint your Lo^s, being in a daylie

1650.
May $\frac{11}{11}$.

¹ *State Papers Domestic*, vol. ix. No. 55.

expectation to hear from you. only for the present wee have thought fitt to let your Lo. knou, that, in procuring some money for your verie necessar effaires in this place, wee have been put to so great difficulties as wee have not at any tyme encountered with the lyk. Throughe God's assistance wee are hopfull at last to be ridd of thes straits; for wee have been necessitated to bind your Lo^s and our selves to so strict conditio-nes that if the money be not tymly ansuered, it will vtterly ruin your credit and disable you from effectuating herefter any busines here for the good of the kingdome. Wee have (as wee wreat to your Lo. formerlie) drauin bills of exchange on the customers and the thesaurer of exciss. Thairfor wee beseich your Lo^s a you tender the honour and good of the kingdome (w^{ch} is of farr more importance then our privat) that your Lo^s would give expres comand that thes bills be accepted and not suffer them to be protested. It is with strangers wee haif to doe, who, if your Lo^s keip your credit to them and doe not frustrat thair expectation at this tyme, they declair and wee are confident they wilbe willing to ingadge and advance for ten tymes more, when your necessar service sall requyre it: and if wee had not confidentlie assured them of present satisfacti-
one, so many vnlooked for obstructiones were layed in our way thāt it had not been possible for us to have effectuated any thing at thair hands. And since wee hope to give your Lo^s a more particular and full accompt eer it be long wee sall adde nothing at this tyme bot that wee are constantlie Your Lo^s Most Faithfull and most Humble Servants,

Breda, May $\frac{11}{21}$, 1650.

CASSILLIS.

LOTHIAN.

BRODIE.

GEO. WINRAME.

SMITH.

AL. JEFFRAY.

[*Addressed*] For The Right Honorable
The Lordis and vthers within
the Committee of Estates of the
Kingdom of Scotland.

[*Indorsed*] Ex^t 25 May 1650.
produc^t and read in parliam^t And remitted
to the Committee of [despatches].

LXIX

‘THE SUBSTANCE OF A LETTER FROM THE KING
TO THE PARLIAMENT OF SCOTLAND SENT BY
MR. MURRAY ’¹

(*Abstract.*)

THAT hee is very sorrowfull and grieved to heare a report which is come to him by credible persons, that notwithstanding those hopefull overtures lately made between him and them, tending to their peace.

Yet that there hath beene some blood shed of late, of his good Subjects of the Kingdome of Scotland.

That hee hath heard severall Reports as to the manner and the result thereof, which doth very much trouble him.

But that he may know the particulars more certainly, he desires to understand the businisse more fully from them, of whom he requires an Account.

1650.
May $\frac{12}{2}$.

LXX

LETTER FROM PARIS.²

Paris, $\frac{11}{2}$ ³ May.

I WROTE you nothing last week, for that I could learn but little certainty of things here, and not willing to trouble you with rumors; but now an express messenger being come to the Queen from her son at Breda, who arrived here on Sunday last in the afternoon; he hath brought the long-looked for news of the conclusion of the Treaty, and the Prince his agreement with the Commissioners; the accord was there concluded the first of May,⁴ and the messenger made so much haste, as he came hither the fifth at night: The Agreement is given out to

1650.
May $\frac{11}{2}$.

¹ *Several Proceedings*, May 3d and June 6th (E. 777, 9). Whatever may be the explanation, this abstract of the letter has nothing in common with that given in Balfour, vol. iv. p. 24.

² *A Brief Relation*, May 14-21 (E. 601, 12), p. 573.

³ *Sic.*

⁴ See p. 85, n. 1.

consist onely of four heads, but what they are, I can by no enquiry inform myself; they say the Queen hath not imparted them to any but Jermyn, from whom she doth not conceal any of her secrets: yet thus much the messenger gives out, that he hath granted the Scots the most of their demands that relate to Scotland itself, but hath absolutely refused to recal his concessions to the Irish, though the Commissioners did long and earnestly press him to it,¹ which is a thing that some men here that seem to understand affairs, do much wonder at, considering how low their condition is at present in Ireland, of which he may well despair to make any advantage for the promoting of his affairs; and that his sticking so close to them, was a very unnecessary discovery of his general intention and disposition, till he had finished with the Scots, and been possessed of some advantages against them, this being enough to make wise men jealous, and to be upon the closer guard, and to make his proceedings there in pursuance of his design, more subject to observation and prevention; and they say the continuing those concessions to the Irish gives them no assistance at all, but rather cause the armies of the Commonwealth to pursue them with the greater vigor and implacability. And he might at any time have granted the same thing to them against when he had once brought down the Argylians, and the power of the Kirk; but our clear-seeing men here say, that his affairs are extremely ill conducted, and that he will never attain his end, by such counsels. 'Tis said that the same messenger also gives out that the Covenant is to be imposed on none in England, but that all that will take it may, and it shall be allowed of in all that have done it already. He will be dispensed with from taking it himself. He saith, that he could not be brought to make any promise or declaration against the lyurgy and episcopals, so that when ever you get a King again in England, you may look for Bishops and their sequel; and if there were any great danger of the first, it would be but a cold comfort to those who have purchased Bishops' and Deans' and Chapters' lands to think on the second. But in Scotland he will forbear the use of the Common Prayers; and

¹ See p. 141.

conform himself to the form of Divine worship there used. And some men are of the minde, he would do as much if he were at Rome, for all men knows what instructors he hath had for his religion, and which way his own inclinations tend ; and that what he doth now is meerly for interest, and as soon as his interest shall change, which will be when he is close in the saddle upon the Argylians' back, and then we here are of opinion he will soon change his practice ; but they are pretty well contented at Breda, at least some of them, that he will carry none of his prelatical chaplains with him, but he may carry thither any other Englishman whom he pleaseth, without exception of any. How it stands between the Prince and Montross is in doubt, for letters from Breda by this very post, relate absolute contradictions. Some say, he hath abandoned Montross, which if he hath, they will thereby see what they may expect, when other can be of more service to him ; for greater promises he can never make to any, then he did to him ; and *qui semel est malus semper præsumitur esse malus in eodem genere mali*. But others say he will by no means quit that party nor do anything to their disadvantage. The success of Montross is likely to determine the controversie, for though he be but a yong Prince, yet there is no doubt he hath learned that rule that all Kings practice, even to value men as they serve turns. As soon as the treaty was concluded, the Commissioners dispatched away an express into Scotland to present the articles, and to have them confirmed. Some of those Commissioners do believe that those articles will be satisfactory to the Kirk and State, but others are of another minde. Louthian, Libbertoun, and Sir John Smith are altogether for the Prince and his interests, but Cassils, Jaffrey, Brandey,¹ and the Ministers are very refractory to him. The messenger further reports, that the Commissioners are separating themselves, some for Holland, and some for Zealand, to get twenty thousand pounds sterlin for their King, in case the agreement hold. As to himself, letters say the greatest about the Prince do labor hard to make Argyle and Montross friends ; and that Duke Hamilton, who hath absolutely governed both the Prince, his

¹ Brodie.

Council, and Commissioners during all this treaty, doth profess to be very much his friend as far as is compatible with their King's service: but all these professions are thought to be *Scotica fide*, and that Argyle knows by himself how far any of these professions are to be trusted in. The Montrossians went seldom to the King during the treaty, but when they did, they had all content; and indeed they carried their business with most policy, and cared not much to interrupt things knowing the King's minde, and to what all this Treaty tended. It is certainly reported here that in the agreement to all the Articles, this clause is added, *Salvo jure Regio*, a very fine ground for any interpretation what that shall be.

The Queen is still in the Convent, and professeth that she will continue there still till the Treaty be ratified, and all be past the danger of rupture. And no doubt she is glad of so specious a pretext for doing that which partly want of moneys, and partly the desire of being rid of all her English people, especially Protestants (one or two of the chief excepted) would make her do however.

LXXI

LETTER FROM HENRIETTA MARIA TO CHARLES II.¹

Paris, ce 26 May 1650.

MONSIEUR MON FILS,—Jay veu par la copie du traite avec

1650.
May $\frac{16}{26}$.

¹ Holograph, *Carte MSS.* cxxx. fol. 177. Lord Hatton, writing to Nicholas on May $\frac{11}{11}$, expresses himself as follows:—‘The Queene in the monastery did, seeming in teares, to some ladies bitterly complaine of the King of England’s condiscentions to the Scots, saying she had a copy of his Majestie’s oath now sworne to the Scots upon this treaty, wherein his Majestie did sweare to promote the taking of the Covenant by all his family and subjects, as likewise to doe his endeavour to extirpate the common prayer booke, with many other horrid particulars, by which she said the King of England had renounced and deserted his own religion, and soe justly exasperated and incensed all popishe princes by engaging himself to persecute their religion within all his kingdome, that he could not expect any assistance from them: nay, she herself was hereby disabled to serve him, . . . And the other being spoken by the Queene of England, Mistris Boyle made answer unto the Queene of England that the world did beleieve her Majestie had perswaded the King to this agreement with the Scots, to which the Queene replied, “God forbid that I should have had a hand in perswading him to sacrifice his honor or conscience.”’—*Nicholas Papers* (Camden Society), vol. i. p. 173.

les escossois que vous m'avez envoye, comme vous avez consenty a tout ce qu'ils ont desire touchant le couvenant. Je confesse que cela ma surprise extremement de voir que vous avez fait ce que vous protesties ne vouloir jamais faire ; et quoy que vous ne le prenies pas presentement ; neanmoins s'est le prendre en une autre espesse que ce sermant que vous avez promis de prendre, et aussy desavantageux pour vous, et autant contre ce que je vous ay ouy desclarer ; vous s'avez assez comme j'ay soueste cette accomodement, mais aussy sur quels termes, qui sont elloynees de ce qui s'est fait, vous ayant toujours dit qu'il ne falloit jamais prendre ce couvenant, et a beauvais en jore¹ je vous dis hors le couvenant et l'arlande et ce soing de vos amis vous ne devez pas disputer sur le reste. Je suis obligee devant dieu et envers vous de vous faire congnoistre que ce n'a pas estte de mon advis ce qui a estte fait, et que je crois vous y avez estte surpris ; estant une chose contre la quelle je vous ay entendu tant protester, et que le feu Roy v^{re} pere avoit en sy grande horeur ; mais sen est fait, il n'a plus de remede, il n'a fault plus parler puis que l'affaire est conclue ; ce que j'ay a vous dire davantage est sur mon particulier ; le Couvenant estant sy violant contre moy et ma Religion, et peut estre que les escossois ne voudront plus que je me mesle de vos affaires ; vous s'avez qu'il y a longtamps que je l'avois soueste et vous l'avez demande ; mais vous m'avez toujours commande le contraire et jugies que mes services vous pouvoit esttre utiles ce que je a dire est que cy ils sont dans cette opinion et vous assy, que je suis toute preste a me retirer pour vous faire voir que je n'ay point d'autres desseings que pour v^{re} service ; quoy que je croye que je vous peux server a cette heure plus que je n'ay fait auparavant ; car certainement tout les princes catoliques sont alarmees de la maniere de ce traite, et il y a aparance qu'ils oront plus de croyance en moy quen personne pour les rassurer : et sy les escossois pretendent de vous restablir tout seuls, je crains qu'ils ce trompe ou vous tromperont, l'affaire n'estant pas sy aysee que cela et sans assistance des princes de dehors vous ne feres jamais rien ; je voudrois me tromper moymesme, mais je crains beaucoup ; mes prieres ne manqueront

¹ Un jour.

jamais, et rien ne me puit osster la tandresse qui est dans mon cœur pour vous ; dieu vous doñe toute les benedictions en se monde ysy et dans lautre que jamais personne eut en sest lardante priere de, Monsieur mon fils, Vre tres afectionee mere

HENRIETTE MARIE.

LXXII

LETTER FROM BRED A ¹

Breda, $\frac{26}{16}$ May 1650.

1650.
May $\frac{16}{16}$.

I TOLD you in my last that I was going to the Hague, and I had then thought the Court would have presently followed, but that not being so, I resolved to return once again thither, to hear if their deep silence were broken ; but it seems as to the particulars of their Agreement they are still under Hermes seal ; not the least piece evaporates yet, for that we stay still here ; most do believe that the agreement is not absolute, but depends upon a ratification from Scotland. They have no minde we should come to the Hague, for seeing the expence must be born, it will be less here then there. They talk of our continuance here these two moneths, which yet some think is but to amuse men with that opinion that he may get away privately, for we are deadly afraid of your ships. And it hath been talked here, that the King should take his passage in those States' men of war, who convoy their fishing ships toward the North, and that so he would go unsuspected, and when they were over against the North of Scotland, they might safely land him there : but if it be true, that he will stay for a ratification from Scotland, it is like to be a good while first, for Dunfermlin, Murrey, and Fleming are very lately gone, if they be gone : they waited a good while for fit and safe passage out of the Maes, but finding no shipping there, they went to Amsterdam, where they expected a ship of war, but since I have not heard from them.

Here is arrived one Lieutenant Colonel Morton, sent by Greenville the Governor of the Sillys, to bring to the King of

¹ *A Brief Relation*, May 28-June 4 (E. 602, 23), p. 593.

Scotland a great deal of happy news, which old Preston had sent to Silly's by a priest his chaplain, namely, That Cromwel having been forced to rise twice from before Clonmel, and having with great obstinacy besieged the third time, resolving to carry it, or to perish; there having been in the interim a great number of Irish got into it, they made such a furious salley, as they forced him to abandon the seige in great disorder, and leave five pieces of canon before it; and that he there lost 1500 men: that Clanrickard had gotten a great victory against Sir Charles Coot, and was clearly master of all the North, except some few Garisons: that the Bishop of Clogher and O'Farral were come Southward with an Army of 12,000 men of the Ulsters:¹ that they fell upon Drogheda, when most of the garison were abroad for forage, had taken the toun, and put all the garison to the sword, giving quarter to none of them: that Castlehaven, about the same time, with a gallant Army had possessed himself of Trim, having first defeated 300 Horse and 200 Foot that were sent to reinforce that Garison, and that afterwards, he having advanced as far as Dublin, he had burnt the suburbs, and intended to joyn with the Vlster army, and then to beseige Dublin. You cannot imagine how some here of the English and the Montrossians please themselves with this most ridiculous News, are ready to swear the truth of it, and to fight with any that will not believe it. But men here, who know something of Preston's and the Irish temper, do believe that beside their ordinary vanity in spreading of lyes, have a design in this to keep the King close to them, and that by his agreement with the Scots he should not be drawn to abandon them: but he might have saved the charge and labor of his express, for the King hath no disposition at all to abandon the Irish, but hath rejected constantly all the motions that the Scots have made to him in prejudice of the Irish, whom it is as certain that he really affects, as it is evident that he hates the Scots; but onely that he out of necessity must serve his present turn of them, there being no other to do it for him. And this he was careful to assure the Irish of; for as soon as

¹ The army formerly commanded by Owen Roe O'Neill. This march of the Ulster men is the only part of this story in accordance with fact.

he had done treating with the Scots, he dispatched an express to Ormond, to let him know, that what he had done, as to his agreement with the Scots, he had done it out of meer necessity, for preserving to his obedience the Kingdom of Scotland; but that it had in no ways diminished his good affection to his the Irish Catholiques; and that, as he had absolutely refused to give way to any that should be to their prejudice, so he would still adhere to them, as relying altogether upon their love and faithful affection (under the sage conduct of him) incomparably more then upon any, either Scottish or English; commanding Ormond to assure his Roman Catholique subjects in that Kingdom, that he will never recall or diminish any of his grants unto them, but augment them, and a great many more expressions to that purpose. This I was informed by one that saw the copy of the letter: the King giving, as the same party affirms, express command to send a copy of that letter to Dr. Tirrel, the agent for the Irish Papists at Paris, with Commission to him to shew it to whomsoever he would, so as he gave no copies of it; and indeed, the King's known disposition that way gives sufficient credit to this relation: for 'tis most certain, that the King likes the Irish religion better then that of the Scots, he never having had any about him but Prelatical men, and that the Scots will finde, if ever he gets close into the saddle with them. There is no further talk of levies of men, money being very scarce here, and there is nothing to be done without it. The troubles being like to grow in France, will draw thither great numbers of the Soldiers cast in other places, whither they can go without shipping, and retire when they please, which they cannot do to and from England. By the next Post you shall more from,—Yours,

LXXIII

LETTER FROM THE HAGUE¹

Hague, 30 May 1650.

THEY must needs go whom their Fates drive. I believe before these come to your hands, the King of Scotland will be

1650.
May 20.

¹ *A Brief Relation*, June 4-11 (E 602, 27), p. 621.

arrived there, if the winds favor him, though most men think 'tis meer necessity that carries him thither, not his affection to them. And though he hath no other way to turn himself but that, yet had the news of their execution of Montross come but a little sooner, he might perhaps have taken some other Resolutions, he being very much amazed at the first hearing of it; and many wonder he will trust himself with them, and come into their power, who have executed his General acting by his Commission, and signalised with several expressions and marks of his special favor: specially when he brings them no greater assistance for attaining their ends upon you, but they must make their own way to it both for themselves and him. His arrival there will presently begin a war, which may prove the best fore-sight to tell when it will end; though perhaps it may not be hard to guess what catastrophe it may cause. He must occasion them a charge for his own entertainment, beyond the proportion of their little revenue (which they could tell how to spend or divide without him) and 'twill not be popular to ask money at the first congress, whence to have it supplied, I do not hear any man here is clearly informed, yet they will turn every stone: Need makes the old wife trot. Modesty is no virtue practicable in their condition, they must not be ashamed to beg that cannot dig, specially that being the only refuge for obtaining of men and money. There are again Ambassadors to be sent, more honorable then the former; Hamilton is to go into Sweden; Buckingham into Germany; and Newcastle into Denmark. They say the Scots Commissioners had rather the errand had been onely for money, for they in Scotland can better tell how to multiply men, then how to furnish treasure. Their kinde of merchants use not to raise great estates, and they cannot drive so good a trade of begging anywhere, as they have done heretofore in England: yet the wisest here think these legations are rather to furnish them with honorable pretences to be absent from Scotland till they may get better assurance they should be welcome thither, then out of hope to procure any money there. The Dane¹ hath no money, not having yet recovered out of the debts of

¹ Frederick VI.

his father;¹ and the States there have some use of it nearer home. The late growing greatness of a Neighbor might well keep awake their jealousy, and put them in minde of the necessity of a Treasure, against the time the other hath a minde to begin a war. The State of Sweden is also exhausted, though particular men have sufficiently raked poor Germany, and though they may speak big, must be content to do nothing; 'twill be well for them if they keep their new acquests in Germany, they have so ill finished that war (if at least it be finished) that they have neither engaged their friends, nor disabled their enemies. Besides, it would concern them to be in a posture fit for what may be expected from the Russe and from the Pole. The little assurance that can be had by any treaties, specially with absolute Tyrants (as the Russe is) whose interest onely, and not their faith, bindes them, may take off too much security from their late Russe agreements, which it is very uncertain whether it be yet ratified, or will be kept: and all men know Cazimire his pretensions. Force kept out Sigismund, his Father, and nothing else can keep out him. If he can once adjust his differences with the Cassaiks, and thereby be sure of the Tartars, the Russe and he might well agree in the prosecution of a common revenge. Their wise Counsellors grow out of favor, and a French genius acts that Court; and for many reasons some men are induced to believe, that a French fate attends. In Germany, poverty, jealousy, and uncertainty how that Peace may settle, keep off those Princes from these contributions that he will have need of. But this by the by.

After the King of Scotland had been two days at Hounstaer² dyke, most of which time he spent in conference with the Prince of Orange, he went back to Breda, to take order for a present departure; he had some small sums to pay his Chaplains, who are to stay behinde, and must not pass over into that gude land, lest they should prophane it. Some money is also given to 150 poor Officers, who shall go with him, and shall ride in a Troop, till they can raise men for them to command. He is now come back again to Hounstaer Dyke, and these two or three days all the baggage for himself and those who go with

¹ Christian IV.

² Honslaerdyck.

him is sent from hence to the sea, to be shipped at Terhay and Schevelinge, where there lye ships for him, and now he stays for nothing but the wind ; as soon as that shall serve him he will be gone, if your ships come not upon the coast in the meantime to hinder him, of which they are extremely afraid.

The ships are said to be of Zealand, which Province is desperately your enemy, and it is wondered here that you are not more sensible of it, and make them be so too ; 'tis in your power to abate them, and change their temper. They are pitifully enslaved to the Prince of Orange, whose interests they have with greatest zeal carried on, with fullest opposition to Holland, who onely of all the Provinces have seen their danger, and have laid a foundation of the recovery of the liberty of the United Provinces, which was ready to be lost to the will of their servant, to whom they had at several times, and insensibly, given so much power, out of gratitude to the merit of the two first of that family (without respect had to the event, in case there should not be in them a succession of probity and vertue) as had made him forget his own condition, and able to change theirs, and which they would have found before this time, if the troubles in England had not made that assistance a lye, which that marriage¹ was made to procure. Since my coming hither, I have had opportunity to discourse with very knowing men and good patriots, who freely confess they were well nigh lost, and till the business of the Cassation be settled, they are not sure they are safe. They say they had not made their peace with Spain, but that they might be free from the power of their own militia, and let their General know that he was not absolutely necessary : that they cashier the strangers, not out of disrespect to them, who had served them so faithfully, but because they had given the Prince a greater power in them, then in those of the Dutch tongue. That they are still in a paroxism, and expect a crisis at the next meeting of the Provincial States. They yet hope, notwithstanding all the efforts of the Prince in his anomalous perambulation of the Cities of Holland, they will stick to their interest, and pursue the Cassation ; and that if the rest of the

¹ The marriage between William, now William II., Prince of Orange, and Mary the eldest daughter of Charles I.

Provinces will be slaves, they will not. If the bundle of arrows must be unbound, they of Holland know into what quiver to put their arrows with safety and advantage.¹ But by this means you may be sure the King of Scots will have no assistance hence, that can be proportionable to his wants; and it becomes a very obvious observation, that whoever have a good minde to assist him, become presently in a condition very unable to help themselves; of which France and the Prince of Orange are two great examples. The Scots King is at this instant here in the Hague, but came *incognito* onely to take leave of the Princess Dowager of Orange, who hath a yong daughter, to which some say the Scots Commissioners are content to match him: but the Prince of Orange his uncertain condition here will cool that prosecution. Besides, here some say that Argyle hath a daughter to whom he must be married, being a gentlewoman of rare parts and education; and that this will unite all interests then, and make them all of a piece. But others laugh at the conceit, that alliance should have any such power, it operates little among private persons, it rather breeds quarrels, and widen differences, then either cement or end them: but among princes (that generally pursue no other vertue but lust or interest) affections are not conciliated by pawning of children, nor is the union greater by community of blood.

Massy, Bunce, Graves, and Titus are here called the close treaters,² and the King of Scots is made believe, that they keep the key of the London purse, and that they will be able to furnish for all his wants: and there is no doubt but they do hold a constant correspondence there, but not with so great effects; for though there are great numbers of that sort of men, who and their money are soon parted, yet they curse your High Court that by the sense of their danger from it, have learned some more wit than to lose their money and hazard their necks at once. You cannot look too strictly after their secret correspondencies, nor proceed too severely upon discovery. There hath been lately commissions given out for

¹ This shows that the feeling which prompted the mission of St. John and Strickland in 1651 already existed in England.

² On behalf of the English Presbyterians.

the raising of strangers for the King of Scotland ; one Harder hath commission for two Regiments, and Carp, the General of the Landgravinne of Hesse,¹ is also engaged ; but there is yet no apparent money. I hear the Scots have no great minde any strangers should be brought into Scotland, they fear their King should make use of them to put himself out of their pupillage, and to free himself of the Breda shackles ; therefore they advise that they may be ready to land in England, when they have once gotten up their party there into insurrections. And indeed, if you let slip your present opportunity and your affairs should decline, you would be sure to have all the colluvies and scum of Germany upon you. But do your work well this year, and you have done it for ever : We doubt not but you see your point, because all men else do ; and if you should not pursue it, you should be less happy then you have been : Your reputation grows abroad, starve it not ; you have not many friends, but most begin to think you considerable. I have been now the more troublesom to you, because I mean to leave the Court as soon as the King of Scots has gone to sea ; I intend for Leiden, where I think to stay till the first week in July ; and before I go thence, I will tell you whether : yet if any thing fall out considerable about the imbarquing you may yet hear of me once more from hence.

LXXIV

HENRY NASH TO WILLIAM EDGEMAN²

SIR,—For want of portage this inclosed hath layen a while, though I suppose the bad newes wil arrive with you too soone : Since I receaved it, the Lord Hopton is retyred to Utrecht with those that relate unto him, and some others ar ready to follow in discontent of the agreement with the Scotts, though I hope the breach is not soe great but may be reconciled, upon any advantage to the generall cause. The Scotts continue Scotts still, as insolent as they ar poore, havinge scarce yet gained any reputation of honesty, or soe much credit as to take up the 25,000[†], upon publick faith, which they first promised to the King. They confidently give out, that David Lesly hath

1650.
May 23.
June 2.

¹ See Nos. lxiv. and lxxv.² *Clarendon MSS.* vol. ii. No. 323.

much defeated the Lord Montrosse: it is also beleev'd, which cannot but make them the powder. Also the last week (as I hear) they delivered private papers to the King, against the employinge severall eminent persons in his affayres of England. You may presume they ar such, as they dare not confide in for their oune interest, and they presse underhand, that the affaires in England may be in pupillage to those of Scotland, to be advised and ordered by their power or councill; or at lest by such as they must approve on and of all other. I thinke this insolence the greatest, and of the greatest danger if it bee granted: and what the event will bee, I am rather amazed to thinke off then to guesse att. I presume you have already heard how much adoe the Prince of Orange hath had with the Hogmagog¹ States about disbandinge of souldiers, only the last week he prevayl'd with advantage and reputation, and now of that businesse all is referr'd for foure moneths. The States ar soe little freinds to monarchy, that they denyed our King shippinge to transport him, and have also the last week dispatch'd an embassidour to their brethren of England. Whether it be to advance or credit their rebellion I know not, but fear it, and therfor doe almost wish, that as birds of a feather they may all be hanged togeather. After all this, if any thinge comfort us, it is from Ireland. The rebels themselves confesse they lost 700 men on the place where they fought, and were defeated, some say [they] were Huson's men, others that they were Sir Ch. Coot's: or if the French report be true, we hope since that 1500 more of them ar cut to peeces, with losse of some places of consequence.²

Sir, I can thinke of nothinge more to informe you, eyther from England or elsewhere, of any concernment, only to assure you I am, your ready and faithful Servant, HA. NA.

Antwerpe, Jun. 2, 1650.

[*Addressed*] For Mr. William Edgman,
Secretary to the Lord Ambassadour
for the King of Great Britaigne,
Madrid.

[*Indorsed*] Mr. Nash, Ju. 2, 1650.

¹ Hoogenmogende.

² This refers to Bishop Emer Macmahon's defeat by Coote at Scariffhollis.

LXXV

A BRIEF RELATION¹*(Extract)*

THIS weeks letters from Breda do tell us that the Prince is still there, and to continue there untill the Commissioners get an answer out of Scotland; having altered his former resolution of going to the Hague, for want of money, as some of these letters do purport, saying that the Scotch Commissioners have not given him any yet: whereas Jermin gives it out, that he hath already received five thousand pounds sterling of them, and indeed most letters, and even those from the most authenticat hands, give a far different cause of that new resolution of staying at Breda, viz., his being privately informed, that his coming to the Hague would be no ways well relished by the States, especially those of Holland, and that they would be so far from making him any reception or presents, as they would hardly complement him or bid him welcome: and that there besides, having got sure intelligence that the States of Holland persisted in their resolution, not only of casheering all the strangers in their service, notwithstanding the most earnest endeavors and solicitations of the Prince of Orange to the contrary, but also of sending an agent into England with addresses to the Parliament, as to the head of a Republique, he would not receive the displeasure to see those things effected under his own eyes, and during his presence among them.

Letters by this packet brings, that it is hoped that the Kingdom of Scotland would soon be in case now of helping the King for to recover his other kingdoms: and a Scotch Gentleman writes, that William Murrey, and the Earl of Nunfermlin,² being returned into Scotland for to give an account unto their great protector Argile, how bravely they had bestirred themselves, for to alienate the King from Duke Hamilton, and to put him out of conceit with him, had left the Earl of Carn-

1650.
May 28.
June 7.

A Brief Relation, May 21-28 (E. 602, 13), p. 578.

² *i.e.* Dunfermline.

wath behind him for to prosecute the same indeavor ; but all in vain, the King being fully satisfied with the Duke's integrity and fidelity. And indeed a Montrossian writes from Breda this week, as another of the same party did the week before, that Hamilton governeth the Prince his affairs as he pleaseth, and absolutely swayeth his Council composed onely of himself, of Duke Buckingham, too young for to take much upon him, of the Marquis of Newcastle, no great statesman, and of Secretary Long, his own creature. That he and the Argilians, notwithstanding their seeming great difference, understand one another very well, and do perfectly agree in a common design of seeking to undo Montrosse betwixt them ; but that the King sticketh firmly to him, and hath protested several times that he will never quit Montrose nor any of his friends.

It is further written, that Sir William Fleming was ready to depart for Scotland, for to carry Montrosse an order from the King to lay down arms ; and that William Murrey, after that which ¹ Dunferlin should have made their report to the States of Scotland about the transactions at Breda, had order to pass out of Scotland into Ireland, which last particular doth no ways please the Irish here, they apprehending that it is for to tamper with Ormond, and to make him deliver up into the hands of the Scots whatever forces or places are left at his disposal in Ireland. They persist in asserting the truth of those advantages gotten by their party in Vlster and before Clonmel, and shew letters from St. Malo, come by the last post, which purport, that a ship newly arrived from Galloway,² confirmed all the former reports about those particulars. As for the Queen, who is still in the Convent, she maketh a shew now as if she were nothing well pleased with the agreement at Breda, and angry with the Prince her son for having been so yielding to the Scots, and the report hereof being very much spread, already fillet all men with admiration, both at the strangeness and absurdity of that dissembling and disavowing that, for the effecting whereof she hath so powerfully laboured ; as likewise at the uselessness of it, nobody being able to imagine what should be her end in it, except it were to please the

¹ *Sic.*

² Galway.

Montrossians, who are so far from being quelled by that gross sleight, or from kenning her any thanks for this unseasonable seeming complying with them, as it filleth them with rage against her.

LXXVI

LETTER FROM THE HAGUE¹

Hague, $\frac{1}{6}$ June 1650.

1650.
June $\frac{6}{15}$.

You may now rest assured the King of Scotland is gone from hence; he took ship at Terhay on sunday morning, about six of the clock: he had ill weather at his embarquing, and since what course they have held we have not yet heard. To embarque in a storm and have the winde contrary, some may be so superstitious as think ominous. His priests are all left behinde but Dr. King and Dr. Goffe, and they are gone as secretaries, one to Buckingham, the other to Wentworth. There is no doubt they have carried their levitical girdles with them, by putting on of which they are as well-fitted to their ecclesiastical function, as a perambulatory Romish Priest is for a mass by his super-altar. He hath given something out of his rich Exchequer to these men, who have been so happy in informing his judgement to the Religion he hath, which many believe is English Catholique, it might have been Roman but that he could never be made to understand the Latin tongue. None can tell here what the Scots will do, as to making war with England: if the resolutions be taken, they are kept extream secret. Some say they will make no war for him till they see how he proves, and whether he be worth the engaging so deeply for or not. But indeed 'tis more like, till they see what forreign assistance he can procure, to make some diversion by invading you by sea, in several places at once in England, they not daring to stir as you are, remembering still how Hamilton sped in Lancashire. And though you may perhaps think it something improbable you should be invaded by sea; and that it will be impossible to provide a navy, either so secretly as you should not know it, or so great as you should not be able to deal with

¹ *A Brief Relation*, June 11-18 (E. 603, 9), p. 639.

it, they are of another minde, and think to bring it about by a trick of address, that you shall not prevent. They say they have made their party every where ready to joyn with them upon their dissent, and they are not without hope of a port and garrison in the West or in Kent (and therefore look well to them) but a few shall land at first, and his party flock to them by multitudes, and this would draw your forces to one place, and so soon as these distractions are among you, then the hungry Scots like a swarm of locusts to come in upon you, man and mother's son, to make happy and fertile England as miserable by a war as their own country is without it. And do not tell me there is no money for this: for this I can tell you for certain. That Waldemar, the King of Denmark's brother,¹ Carp,² the Hessish General, and some other Germane commanders, have agreed with the Prince to serve him for nothing in England, and that they will have no pay how long soever the war shall last, on condition that they take everywhere free quarter, and make booty of whatever shall come in their way. It may very well be doubted, whether their rapacious fingers will be able to distinguish between Cavaleers' goods and those of Presbyterian, and Sectary; specially if they should be most valuable: and there are some to my certain knowledge have undertaken this, who have served in the Duke of Lorrain's army, and therefore no doubt are pretty skilful in this kinde of mystery, onely they must have some levy money, which the Prince must furnish them. And that it is said will be done by the Prince of Orange, out of the monies which he hath raised by engaging some of his Seigneuries. This is the evil that threatens you, I need not prescribe you a process for cure. The indications are not complex, and therefore he were a simple doctor that could not write a bill; and he needs not much fear his credit, though he should be something bold in a prognosis; specially if the Chyrugians do their part well (for one part of the cure must be phlebotomy). But begin before there is any decumbency, 'twill be very facile to prevent danger: you will never go to bed for it, if you begin early and act strenuously; and take heed of being cheated by a beaten,

¹ See p. 54.

² See No. lxiv.

fawning spaniel. They are here most afraid of your High Court of Justice, which they doubt may much discourage their party, and they wish you would not renew the power of it, when what they have shall expire; then they think after Michaelmas, they may relye upon assistance with you. And indeed the Court is of almost as much use to you as an army, and will prevent the rising of as many enemies as the other will destroy; onely you must be sure to execute justice there with all severity. A few of the first stirrers taken away by the power thereof, without respect to cosen or countrey, will keep all the rest quiet: but whoever that Court condemns let them be as already dead. If the Parliament give pardons in these cases they will much weaken their own security. But let them be most free in cutting the Vena Cephalica (for the Basilica will be latent); the Median¹ would be spared as far as may be, that the body be not too much emaciated, besides the blood is most corrupted in the Cephalique, and is the very *causa continens* of your disease: you need not fear to take freely of this veyn, so long as you have evidence of the corruption of it; the body can well spare it and if it be well emptied perhaps you may be without danger of a recidivation into the malignant fever of a war within you. I thought to have gone last week to Leyden, but Ile now be gone on Friday, and from thence you shall here of me, if I meet with anything worth your trouble.

LXXVII

EXTRACT FROM A BRIEF RELATION²

SIR,—We are assured this week from Holland that Prince Charles is gone for Scotland; letters from Breda of the eighth of June telling us, That he left that Town that same day at three of the clock in the morning for to go to the Hague; and letters from the Hague of the ninth, that being arrived there the evening before, he was that day gone down to Scheveling, and had put himself aboard there of a man of war, the which,

1650.
June $\frac{1}{2}$.

¹ This probably means that the English Presbyterians are to be spared.

² *A Brief Relation*, June 11-20 (E. 603, 9) p. 629.

with six more, was riding on anchor near that shore, being come thither on purpose for to receive him, and for to waft him over into Scotland. Those seven Ships had been appointed to go and meet some East India Ships that are on their way home, and the time not being come; yet for to begin their voyage, the Prince of Orange prevailed with the States to suffer Prince Charls to make use of them in the mean while for his passage into Scotland, and not to lose that opportunity; yet he so precipitated his journey, as he went aboard when the wind was contrary, that use might be made of the first favorable gale that should blow: but some letters do intimate that the true cause of that great haste, and of his going for Scotland before he had received the ratification of the treaty thence, proceeded from his having got secret intelligence of Montross his execution, fearing, that if he stayed never so little longer, the open and publique news of it would come, and that then he could not go to Scotland in honor. He hath carried all his people with him, both English and Scotch, except onely the Lord Gerard, and Mr. Eaton, the Usher of his Chamber; which two, as likewise the Lord Hopton and Mr. Eliot (neither of them then in Holland), had been particularly excepted against by the Commissioners for having been too vehemently addicted to Montross; and he hath been fain likewise to leave all his Divines behinde him, one Dean King¹ and Dr. Goff being gone along, not in the nature of men of their Profession, but as Secretaries, King to the Duke of Buckingham, and Goff to the Lord Wentworth. As for the rest, he hath left them all in Holland, having given 1000 Francks to every one of them, wherewithal to subsist till he can do better for them; and in lieu of them, he hath for his Chaplains two Scotch Divines, come over with the Commissioners. He hath also left Duke Hamilton in Holland, his going into Scotland not having been judged expedient for the present, for fear of emulations betwixt him and Argyle, which might spoil all in the beginning; and to have an honorable pretext for his staying, it is given out, That he is appointed to go Ambassador to the Queen of Sweden, as the Earl of Newcastle (left behinde

¹ The Dean of Tuam. See No. lxxxvii.

likewise) to the King of Denmark; and that moneys shall be sent them out of Scotland for that purpose. But those Ambassies, believed by some to be really intended, are by most men looked on as meer mockeries, as well as that of Duke Buckingham, who is said to be designed for to go the Emperor. As for the Lord Percy, he stayeth in Holland in the nature of an Extraordinary Ambassador with the States; one MacDonnel,¹ a Scotchman, having been chosen for to be the ordinary Resident, in room of Sir William Boswel, lately deceased.

LXXVIII

'A MEMORIALE FOR HIS EXCELLENCE THE
MARQUISE OF NUICASTLE.'²

QUHAIRAS all diligence is to be used for congregating sum forrain force, the better to advance his Majestee's affairs, therfore theese efterwrettin poynts wold be taking in considerationne by his Excellence, and with all speed putt in practice.

1650
June [?].

1.

It may be presumed that the princes of the Impyre will contribute no assistance for his Majesties present service bot by a legall way, that is by a dyett of the Impyre, quich of it self will be tedious, and of little effect in respect of his Majestie his present actionne of service, therfore in all haist to prevent this, ther wold be a lettterr wrettin to his Imperiale Majestie, as also one to the Elector of Mentz, desiring them to wrett to the princes of the Louer Saxen Circle that lyes nearest to his Majestie's present actionne, they wold be appeased to aide his Majestie of Great Britane, with quhat present assistance they could of money, menn, ammunitione, armes or victuall, and not to retard ther aide till the dyett of the Empyre be: ther letters being directed to the Elector of Brandenburg, the Duiks of Brunswyck, Lunnenburg, Mecklenburg, Holstein, the Count of Oldenburg, the touns of Lubeck, Hamburg, and Bremen.

¹ Macdowell.

² *Carte MSS.* cxxx. fol. 143.

2.

That particular letters may be wrettin to theese princes from his Majestie of Greate Britane, not forgettin to desire the Elector of Brandenburg to dispose Mons. Schernichone with his trane of Artellerie to his Majesties service.

3.

That my Lord Marquise of Nuicastle, may be sent extraordinarie Ambassador to his Majestie of Denmark, with plenipotence to treat for all assistance to his Majestie of Great Britane his service as his Excellence sall think expedient, and the better to further this business 2 letterrs wold be wrettin one to the Reichs Hofmester of Denmark, Mons. Wlfelt, another to the Viceroy of Norway, Hanniball Seestat, to advance this buesiness with all ther pouer as consanguins to our Kyng and Maister, with pouer to my Lord Nuicastle to promise the continuuatiounne of Mons. Wlfelt his pensione granted by the late gloriouse Kyng of happie memorie.

4.

That my former given in paper may be considered by Maister Secretarie Long in all particulars cheiffie about 160,000 D[ollars] lying in his Majestie of Denmark his hands belonging to the English Compagnie as also of Generall Koningsmark and Collonell Fotless, all other particulars Master Secretarie Long is able to contrive to his Majestie's service as he sall think fitting.

[*Indorsed*] A Memoriale
for his Excell. the
Marquise of Nuicastle.

LXXIX

NOTES BY SECRETARY LONG.¹

March 1649—
June 1650. 1649 March. Instructions to Sir W. Vavasor sent to C^t. of Oldenburg to notify K^s murder to borrow 20000 dollars, or a larger sum. or 10000 if more not to be had.

¹ From a copy in the handwriting of Thomas Carte.—*Carte MSS.* cxxx. fol. 118.

June 21. Instructions to Mr. Swan sent to get Emperor to engage Princes of Empire to join in aiding King with supplies of men, arms, and money, with letter to D. Saxony.

Sir J. Cochran sent to K. Poland, with a letter to P. Radziville.

May 6. Instructions to Sir Robert Steward returning to Ireland with letters to Lord Ardes, etc.

Aug. T. Killegrew sent resident to Venice.

5 Warrant for Sir W. Boswell to fill up 12 blank pardons.

2 Order to Patric E. Brainford to deliver half of King's armes and ammuni[tion] in Sweden to James M. Montrose or such as he shall appoint.

July 30. for Fr. Boyle Esq^{re}., who had attended K. in Holl[and] and Je[rsey] to enjoy his estate in Ireland.

for paying 2000 g. to Sir M. Langdale, Sir P. Musgrave, and Sir R. Tempest, 500 to Col. Gylby.

3 Instructions to Sir H. de Vic. (made a baronet, July 7),¹ resident at Bruxelles, to get an interview with Archduke and D. Lorraine and to get from the latter the 2000 pistols he intends to furnish K.

June 13. 2000 g[iven] to Sir W. Boswell, resident with the States.

Oct. 9. States General by treaty with Denmark to pay 350000 rixdollars to K. Denmark, to be paid in 15 years, that no Dutch ship shal pay toll for passing the Sound, and all other nacions to pay the usual toll. This treaty to commence 36 years from 1 Jan. 1650.

24 S^r W. Boswell. Strickland gone for England to return with new letters to States.

1650, May 29. Lord Colepepper's letter from Russia² that the Emperor had promised to assist King with 40000 rixdollars, 3 parts in sables, and the 4th in corne, but not a penny. — K. James had lent his father the sum,

¹ The words in brackets are an interlineation. The date given in Collins's *Baronetage* is Sept. 3d, 1649.

² 'The relation of the Lord Colepepper's Reception at the Emperiall Cittie of Mosco, and his Lopps quitting thereof A^o D^{no} 1650,' is printed in *The Nicholas Papers* (Camden Society), vol. i. p. 182.

the rest being carried back to England by Sir Dudley Diggs, and the 40000 paid was repaid years afterwards to Sir J. Merrick,—then Ambassador here.¹ No money to be got there, he had sold the corne, and a 3d of the furs to 3 rich Dutch merchants, for 156^{lb} more than the Emperor's [prices?] (5156^{lb} to be paid at Amsterdam Nov. 15).

May ⁵/₁₅. Order to Montross to lay down armes, leave canon, armes, ammunition brought from Gottenburg in Orkney, or deliver em to sherif of C^{ty}—10000 rixdollars paid to his use in Sir Patr. Drummond's hands, indemnity for hon. E. Seaforth, Kinnoul, Lords Napper and Rey, Sir James Macdonnel, etc.

This upon K's agreement with Scots Commissioners.

Sir W. Fleming sent with the orders, all his officers and soldiers indemnify'd, M. to stay in safety for a competent time in Scotland, and ship to lye provided for transporting where he pleased.

K. had got only dilatory and general answers from Emperor, German Princes, Spaine, Denmark, and most of Princes and States of Italy to whom he had applied.

June. Instructions to M. Newcastle sent to acquaint K. Denmark with K's agreement with Scots, and desire succ^{rs} of men, money, arms etc., and to engage D. Holstein and C. Oldenburg.

LXXX

THE EARL OF LOUDOUN TO CHARLES II ²

1650.
July 9.

MOST GRACIOUS SOVEREIGN,—Albeit there be no man that rejoyces more for your Majesties safe arrival in this Kingdom, or more desirous to wait upon your Majesty then myself; yet

¹ The word should be 'there,' *i.e.* in Russia.

² This and the three following letters, Nos. lxxii. lxxiii. lxxv., were printed from copies or drafts taken at Dunbar, in the answer of the Parliament of England to a paper entituled, *A Declaration by the King's Majestie* (E 613, 2). These letters should be compared with those by the same writer, published in the *Ancrum and Lothian Correspondence*.

the duty of my place in attending the Parliament so long as it was sitting (where I did endeavor to be more serviceable to your Majesty than I could be elsewhere) and the distemper of my health not permitting me to travel, I hope will plead pardon at your Majesties hand, that I have not come to wait upon you ; but so soon as I shall be any ways able to travel, I shall attend your Majesty ; and shall not presume to trouble your Majesty with any particulars till then, resolving to make it my chief care and study how to improve the happy agreement (laid upon so pious and well-grounded a Foundation of a Covenant with God and your People) to the best advantage, as may conduce most to his honour, and the recovery of your Majesties just and undoubted right of all your kingdoms ; than which, nothing shall be more faithfully and really endeavored by, Your Majesties most Loyal Subject and humble Servant,

LOUBOUX.

Edinburgh, 9 Julii, 1650.

[*Indorsed.*] A Copy of my Letter to the Kings
Majesty, 9 Julii 1650.

LXXXI

ROBERT MEYNELL TO LORD COTTINGTON¹

MY GOOD LORD,—I was honored with one from your Lordship at your first arriveall at Madrid, with one other from my Lord Embassador Hyde of March the 25, and now I have one from your Honour of June the 18, which are all the lettres I ever had from Spaine since I came hether, and consequently I cannot leave any thing of those directed to Father Wilfrid or Father Rowe, neyther can the fault be in their miscarriage if

1650.
July 31.

¹ *Clarendon MSS.* vol. ii. p. 364. There are many other letters of Meynell amongst the *Clarendon MSS.*, several of which have been printed in the *Clarendon State Papers*. It seemed appropriate to insert this one here, as showing the effect of Charles's agreement with the Scots in his relations with Rome. Meynell was a priest, and Charles's agent at Rome.

they ever find the way to Rome, for though I gave your Honour noe publique addres, but only a private one to my selfe, yet did I, at my first comeing to Rome, take order with every poste-house, carefully to reserve for me all lettres addressed to me, nor is it the custome here to indorse lettres otherwayes then point blank to the party; for every body eyther gives private order to some of the post-house[s], or may find their lettres in a list, where all such are found as have not beene reserved by private order.

It will not now be much to your Honour's liking to repeat what I have allready acquainted your Honour with all in mine of May 10 and of June the 24, for it will be noe other then what Æneas said to Dido, *Infandum Regina jubes*, etc. In plaine English, nothing can be expected hence in favour of 100¹ in these circumstances; for I have had a flat answeere more then once, and so hath Father Daniel O. Dally, who had commission from the Queene of England to sollicite the Pope for his assistance for Ireland; in a word the Pope answered, that he would not at all meddle in the busines, which inferres that he treates not with the adverse party; but as I cannot assure your Honour that this illation is true, soe dare I not say it is false. The reasons of this sudden change in this Court may be many: it is possible that what your Lordship feares may be an ingredient to facillitate this mutation, but it palpable that the maine motive was, because the Pope would not be drawne to part with monie, which he saw himselfe presently obliged unto if he had complied. But by this time your Honour will see the 100 in 504 in the 240 handes,² which was here prophe-syed, before acted, and the feare of it pretended, for the maine *remora* why his Holines did not comply. All our faire characters, large assurances of the 100³ good inclinations to favour Catholiques are here reputed meere shadowes, and that eyther wee intended to delude them, or at least wee were deluded our selves, though this supposition be most false, and I am confident I have made an other kind of impression of my Master his candor and ingenuity in some of the best here; yet, *stan-*

¹ 'The king.'

² Perhaps 'the king in Scotland in the Presbyterians' hands.'

³ 'The king's.'

tibus, stantibus, it will be a hard matter to perswaid the contrary in this court.

What I gave your Honor concerneing Father Rowe his busines was noe other then his owne notion of it, which he had from Monsr. Albici, secretary of the congregation deputed for Father Rowe's busines, and prime sessour of the holy office; but I beleive the reason of his sudden departure hence was this enclosed letter of his to severall of his countrymen here, which I send you in his owne hand.

My Lord, the honour I have had to correspond with your Honour and others will be soone at an end, for my owne necessities are soe urgent, that the present heates can scarce force my stay, which once over, I must pack northward, for ought I yet know. I have many times begged both my Master's and your Honour's licence to depart in case of pressing need; but neyther my Master nor your Lordship's were ever pleased to give me the least inclination of leive. Though it hath bin the greatest misery that ever befell me, not to have beene able to effect any notable thing for my Master's service, yet I shall ever comfort my selfe with the sincerity of my utmost endeavour performed meerly in duty and obedience to his commaunds, and when I am impossibilitated to serve him with any active or externall labour; then shall I in my retyred solitude never cease to wish him and his friends all true felicity, as becomes his and your Honor's most obedient servant,

ROBERT MEYNELL.

Rome, July 31, 1650.

MY LORD,—I had a letter from 100¹ to Card. Capponi. It came to me in Mr. Cowley² his cover, my Lord Jermin's secretary, who told me in that cover, that Mr. Proger desired my Lord to send such letters to me as should come from 100¹ addressed to Card. Capponi, nothing of the contents of it was intimated to me, nor doe I beleive there was ought in it but acknowledgments of that good character I had formerly given my Master, of Capponi. The Cardinall thinks it not safe to

¹ 'The king.'

² The poet Cowley.

returne an answere till he can send it with security, which will be God knowes when.

[*Indorsed*] Mr. Mennell, 31 July, to L^d Tre., received 28 Sept. 1650.

The negociation in effect at an end, and he solicits leave to depart. The chief reason of the Pope's coldness is his own want of money.

[*On a half leaf*] Father Rowe's letter to his countrymen in Rome the supposed cause of his sudden departure.

LXXXII

THE EARL OF LOUDOUN TO CHARLES II.¹

1650.
July 22.

MOST GRACIOUS SOVERAIGN,—The Marquis of Argyle and the Earl of Balcleugh² have communicated to me your Majesties answer to that Paper which was presented by him and others to your Majesty, in name of your Parliament and their Committee, concerning the removal of some of your Servants and others from your Court and Royal Person. And considering that some parts of your answer is such as would not be satisfactory, I have presumed to alter it, and write it so, as I am confident will give good satisfaction. For seeing your Majestie hath by your answer to the same desires, given full contentment to the General Assembly, I doubt not but your Majesty is willing to give the same content to your Parliament and Committee of Estates. Therefore I trust your Majesty will pardon my boldness, for I know no better service can be done to your Majesty, than that anything which proceeds from you, may be acceptable to your People, and that your Majesty may be more endeared in their affections; which is the duty, and shall be ever the desire of

[*Indorsed*] A Copy of my Letter to the King, July 22, 1650.

¹ See note to No. lxxx.

² Buccleuch.

LXXXIII

THE EARL OF LOUDOUN TO CHARLES II.¹

SIR,—There hath been so much said by these who are here, and those were sent from the Committee of Estates, of the General Assembly, to move your Majesty to emit that Declaration for satisfaction of the Church and State, and of such in all your Kingdoms as desire religion and your Majesties throne to be establish'd, according to the Covenant, as I can adde little to perswade your Majesty; yet if your Majesty shall ponder in the ballance of righteous judgement, the consequences will follow upon your granting or refusal, your Majesty will not delay it. If your Majesty grant and emit this Declaration you satisfie the Church, the State, the army and all your gude subjects. They all concur to act for you, and the army is ready (if they be not engaged in present battel) to march into England, and leave Scotland, and all which is dear to them to the utmost hazard, and sacrifice their lives for carrying on the work of reformation, and restoring your Majesty to your right and crown of England: and then, if there be any in England who dare appear for religion, for their own liberties, or for your Majesties interest, they will finde a fit opportunity for it. Your Majesty is now obliged by the oath of Covenant with God and your people, to promote the ends of the Covenant in your royal station and place, to the utmost of your power. And your Majesty by the treaty with this Kingdome and in gude reason, is bund to follow the counsel and advice of your Parliament and Church, and of those who are by them authorised; and since this, which is earnestly desired by both, as necessary for the good of religion and the Covenant, and engaging of the Church and Kingdom to hazard their lives and estates for carrying on your Majesties interest, with the interest of religion, your Majesty should not deny, but cordially and speedily condescend to it.

If your Majesty, after so earnest intreaty and such offers,

1650.
Aug.

¹ See note to No. lxxx.

from the Church, the State and the Army shall refuse to satisfie the desire, and clear your resolution, your Majesty will grieve their spirits, cool their affections, and weaken their hands. And since your Majesty refuseth to do what is necessary for the good of religion and God's interest, they will look to the safety and good of religion, and to their own safety and emit a Declaration, how willing they are to hazard their lives for your Majesties interest, if ye had been for religion: but that being denied, they will separate the preservation of religion from your interest, and so to the safety of this Kingdome: and if there be a difference and separation upon those grounds, there will never, in humane appearance, be such a conjunction, and your enemies (who will grant anything which may destroy your Majesty) will win their ends.

[*Indorsed*] A Copy of my Letter to his
Majesty upon sending the
Declaration¹ to him to be signed.

LXXXIV

THOMAS COKE² TO CHARLES II.³(*Imperfect*)

1650.
Aug. 1^½.

. . . THE condition of this place at present is a generall disaffection to the army; but all men of quality in city and county are secured. the nobles, gentry and all Royall men for your Majesty so awed with feare and so jealous one of another, that there is no hope of stirring at present, nor is there acting either for men or money without extreme danger. I have beene in all Countys in these partes: from Cambridg, Huntingdon, Essex, Kent, Sussex, Surrey, I have return of encouragement when there shall be opportunity, as they say, but no present preparation. Mr. Blagg is gone to Holland. Duke of Rich-

¹ The Declaration was signed by Charles II. on August 16. It is printed in Walker's *Historical Discourses*, p. 171.

² A younger son of Sir John Coke, secretary to Charles I. He was now employed as a royalist agent in England, see No. xc.

³ Enclosed in a letter from Coke to the Prince of Orange in the *Clarendon MSS.* vol. ii. No. 379. The whole of the enclosure is in cipher, and is here printed from the interlined decipher.

mond will not at present engage; the west in as backward a condition as any. I spake with Pile to that purpose; Lord Beauchamp is blamed. the Presbyterian in and about London are forward enough in words, but cannot rise. The Royall party will not engage before the Presbyterian, for feare of a desertion as formerly. good saues from Scotland will change the face of affaires. the best service at present will be to send as many men and officers as can be gotten to your Majesty from the Isle of Man into Lancashire, is the best way to rayse a body quickly. Those counties are very royall and right generally. I was there lately, and have setled stages, but met not any from Scotland; though Mr. Booth be forced to fly the County, yet I have found him out. If the Scots will bring to any part of the shiere at Booth's house, they shall be sure to heare of me there, and he and I shall setle what intelligence Duke Hamleton and Duke of Buckingham promised to send thither. I shall then be able to serve your Majesty. Strickland is come over into England. Levings¹ hanged; all the Scots banished England.—Your Majesties servant,

TOM COKE.

August two, London.

I wrote before, but could heare no answeare.

[*Indorsed*] Thomas Coke to the King. Letter of Intelligence. *Imperfect*. The State of the Royall Party in England.

LXXXV

THE EARL OF LOUDOUN TO CHARLES II.¹

MOST GRACIOUS SOVERAIGN,—The condition of your Majesties army here, and what our resolutions are at present, will be so exactly shewn to your Majesty by Sir James Lumsden as I shall refer the particulars to his relations, rather than trouble your Majesty with a long letter; yet briefly I hold it fit to shew your Majesty, that Cromwel hath gotten more than a moneths provision for his army by Sea, and that he expects

1650.
Aug. 10.

¹ Levinz.

¹ See note to No. lxxx.

shortly new recruits: and victuals being so scarce, as it will be very difficult to entertain our army in a body till the harvest, that corns be cut and reaped. It's resolved for this and other reasons, that this army shall march out to the fields nearer the enemy, and (if they force us to fight) in God's strength to give them battel; or (if they shall not pursue us) some enterprise will be undertaken, to make a diversion to give the enemy work in England, rather than consume us with a lingring war, and make the seat of it in Scotland. In order to which, your Majesties hastning hither your Declaration is so necessary as the delay of it will retard and obstruct any expedition into England; and time is so precious, as the loss of opportunity can hardly ever be recovered. So praying God to bless your Majesty, and so direct your counsels, and the actions of your armies as may serve most for his honor, and may restore your Majesty to your just right.

And, Sir, It is the desire and judgement of many, that Sir J[ames] L[umsdaine] should be Lieut. General of the Foot, but was not thought expedient to do it presently, to shun contest and emulation; yet his affection to the cause, and to your Majesties service, is such, as he is willing to give his assistance in ordering the army, and to act his part in a day of battel. And truly, Sir, he is a person of so much valour and experience in war, that your Majesty would give him all encouragement, and lay your commands upon him, to return presently to the Army, and not leave it.

[*Indorsed*] A Scroll of my Letter to
the King, Aug. 10th, 1650.

LXXXVI

LETTER FROM AN ENGLISH SOLDIER IN SCOTLAND ¹

(*Extract*)

MY DEARE FRIENDS,—It is, and hath been a very great trouble to me, to be in an incapacity of enjoying the society

1650.
Sept. 9.

¹ *A Perfect Diurnal*, Sept. 16-23, (E. 780, 11), p. 505.

of your selves amongst the rest of my kindred and friends. It is indeed an addition to the rest of my infelicities, which are not more eminent in any dispensation then in this particular, for, it hath pleased God hitherto, to vouchsafe health and vther comforts unto me, insomuch that although I have been without many things of delight and superfluity which your southerne parts and most parts of England afford : yet I cannot say that I ever was in want of anything that was necessary to preserve life, for a good conscience is a continuall feast, and I have found as much content in a peice of rye bread, or hard bisket, and a cup of water, as ever I did in the most dainty cakes or delitious wines. I have laid down to rest with as much content upon a board, or on the ground with a bundle of straw, as ever I did into the best fetherbed in England. God hath indeed prepared a table in the wilderness, such a table as is full of rich and good things, ful of marrow, wine on the lees refined. The comforts of his spirit, and a sweet communion with him, which surpasses all other injoyments whatsoever, and farre better than all kindes of services of sacrifices which can be performed by us, while we are here in this earthly tabernacle, for never was the emptinesse and vanity of all outward and earthly formes made out clearer unto me, then since my coming into Scotland where I beleeve the people have as much of profession, as any people that call themselves Christians throughout the world, and not so much as the least appearance of power in any one man, that I have discourst withal of this Nation. It is usual with them to talk religiously, and with a great shew of piety, and devotion for a time, and the very next moment to lye, curse and swear, without any manner of bounds or limits. They 'le cry out, 'The dee'le fa' my sa'll,' and 'would my soule might never enter into the Kingdome of heaven.' 'The dee'l breake my cragge,' 'malice light on me, if I have this or that thing' (though never so ordinary) which we wanted ; and yet after a little search we have found great store of it ; and to my observation, unlesse it were the Lady Winton a Papist who lives at Seaton,¹ about seven miles from Edin-

¹ The second wife of the third Earl of Winton, Elizabeth, daughter of Lord Herries.

burgh (Her husband is stiled Earle of Winton, Lord of Seaton, Baron of Preston, and Goodman of Cockenny¹) there was not any one of them that made officer or souldier of this army eat or drink, of their own accords, so churlish and crabbed are they, yea they are so void of civility, and so monstrous for ingratitude, that if a man do the greatest curtesie that possibly he can for them (as I have some times done for divers of them) yet (after many protestations of laying downe their lives for him, and the like) they will in an houre after deny him a cup of beere, though they have it in the house. In those quarters where we came between Berwick and Edinburgh, we found not sheets in any House, and those beds that were left, were most nasty and greazie, ful of lops² and covenanters³ or both, so that we made use of little but the bare boards (their drinke hath such a filthy tange, and so laxative that it brought the flux among our souldiers), yet there we could not lay downe anything in one roome but, if we went a while out doores, or into another roome it was taken away, nobody knew how, nor who to challenge for it, for all in the House (which were commonly women) would deny it with excretions even to Hell it selfe.

Their men being gone, they have commonly in those houses, where there is anybody left, a dozen or more of the most il favoured and durty women that can be imagined, who doe all look like witches (if there be any such creatures) wherewith by their frequent burning of them, it seems this country abounds (14 and 16 being burnt in a little village neere Wadington⁴ about a yeere since). All these confederate together to cheat, filth, and steale what ever they can lay their hands on, and if opportunity be offered, to cut the throats of such single men as fall into their clutches, either by strangling or otherwise. These of the female sex though they are made to toyle and moyle for their husbands in those actions that are most proper for men, and done by them only in England and other places, yet will sit many houres together idle in their houses (one of them being sweeping a roome at Musselbrough by chance, and being desired to sweep under the table, asket if they would

¹ Cowkainy.² Fleas.³ Lice.⁴ Probably Mordington.

have her breake her back to sweep so low), and let them lye dirty and unswept like stables or hogges-sties.

No table, window or cup-board, but 'slut' may be written in large characters upon it.

For the sins of adultery and fornication, they are as common amongst them as if there were no commandement against either (they call those only broken women that have had but six bastards), and in truth how legally religious soever they pretend to be, there is little or no conscience made of the breach of any one of the Ten Commandments, which for a more methodicall and orderly description of their hypocrisie, take thus:—

1. Instead of having no other God but one, the generallity of people (I speak it clearly and freely so far as I can decerne of them) do idolize and set up their Ministers, believing what they say, though never so contrary to religion and reason, and they stand more in awe of them, then a schoole boy does of his master, and in all Townes where we have come, the Ministers having led them to Edinburghe, not a man that is able to bear armes (unlesse left behind for a spy) but hath followed, and though our faire usage of the country gives the lye to what they told in their pulpits, of firing and destroying all before us, and killing men, women, and children, yet not any of them will return to their homes.

2. The Presbyterial government with the several formes, rights, and practices of it is the graven image which they have set up. It was indeed in the first dawning of Reformation founded by many ministers of the nation, and some godly people out of true zeal to God's glory, but is now made use of by the present ministers to uphold a greater pride and domination of the clergy over the consciences of their auditors and people, then ever was usurped by the prelates in England over the conscientious there, nay the papists themselves. For all must fal down before this golden calfe, and submit to this Government. Beleeve as the Kirk beleeves, or else their houses be made a dunghill, and they be excommunicated and banished Kirk and Kingdome.

3. For the taking the holy and dreadful name of God in vaine, it is common in their ordinary discourse; in which they use many dreadful imprecations and fearful execrations, as,

‘The Deel fa me,’ etc., ‘The Deelee blaw me blind,’ ‘The Deelee rive me,’ ‘God’s curse light on me,’ etc.

4. For the keeping holy the Lords day: although they pretend to be zealous observers of it, yet to my observation I have not known any of them to spend that day in religious exercises, onely in a bare cessation from labour and work, and walking and gazing up and down, spending their time in laziness and vanity.

5. For the honour due to parents, as also to their magistrates (more then for feare), I cannot observe any (of 129 Kings that have raigned over them not one hundred have died in their beds). Filial love or respect in their children towards their parents being like their parents’ love to them, which is like Jockey’s advice to Jany, ‘Throw away the berne, and save the baggage, God may send mare bernies but nere mare baggage.’

6. They are most eminent for murdering in a cowardly and treacherous way, and in that manner murdered a servant of Col. Duckenfield’s at Lenton bridge neer Haddington, and have cut the throats of others in a barbarous manner, so soon as the army hath been drawn off from them.

7. For the committing of adultery, the Kirk Bukes of some of the ministers, which we have found, wil shew the names of their parishioners that have stood in the stoole from time to time, which is sufficient to declare them to be very frequently and commonly committed; and many have fallen into relapses after they have undergone that punishment. Whoredome and fornication is the common darling sin of the Nation.

8. For filching, picking and stealing, it is so common amongst them that the young bernies which are newly crept out of the shel will usually prole away bisket, cheese, or what else they can lay their hands on, when they come where provisions are dealing out, or to meddle with any things that are portable.

9. For their bearing of false witness against their neighbours: although we find them unanimous against us, and so farre from betraying one another, that they wil not tel the truth; yet for lies and falsities in their discourses, it is so natural and common to them, that they doe as often speak lies as words, so that a man can hardly tel when they lie, and when speak truth: yet

they will informe against their neighbours for their advantage, and take away their Goods, and then lay the blame upon the souldiers.

10. For their covetousnesse of their neighbours' goods, it is so predominate, that many of them come to the stooles for it; and of late when any thing is left in their neighbours houses, as soon as our souldiers are gone they wil take it to themselves; or if it be beere, ale, or other things vendible, they will sel it to the souldier and take it to themselves. They say, 'When ther's a gude house and store of geere, its aw their own.'

Having in some measure (though far short of their ill conditions) given you a character of the people; I shal next touch upon the country, which is something better then some reports have made it. The fields between Berwick and Edinburgh, as wel hils as dales are replenisht with corn and graine of all sorts, as barley, oates, hiber, wheat, rye, peas, and beanes, as plentifull as in most countries in England, but few or no trees, either for fruit or shade, unlesse it be about a great lairds house, where there are some, but neither for growth nor goodnesse to compare with those in England. These Lairds have a greater command over their vassals, and keep them in greater bondage to them, then the meanest servants in England. Their persons and goods are at their Lairds command, both in time of peace and war. These Lairds have indeed large and spacious houses strongly built of stone, with many accomodations about them, but are nothing so neat in their houses or abroad as the ordinary Gentry of England are. They have few or no glasse-windows, and those they have have wodden shuts below and glasse above. In times of peace their recreation is hunting, (for they have some store of hares, as wel as foule) and drinking; besides which they use little or no exercise. Their cattel and sheep are not so big and fat as ours in England, nor do they eate so kindly. Their fruit is also soure and ill-tasted, and not at all relishing or delightful. The weather here is most uncertain all the yeere long, a great wind will rise above foure times in a day, and lay of a suddaine, and then be high again; so for raine and sunshine, and the same day that the sun parches one with heat, shal its withdrawing cause exceeding chilnesse and coolnesse.

The poorer sort live in low thatcht cottages, without any goods or houshold stufte considerable, full of nothing but smoke, and unwholesome and noysome smels, in many places their families and cattel lie under one rooffe. They must have but one chimney, and that so large, that an iron grate for the burning of coles being set in the middle, the whole family, husband, wife, bernes, and servants may sit round it. They pay no rents to their land-lairds in money, but are at all the charge of plowing, sowing, and reaping, and then he hath the third part of the whole increase in corne or graine. They will give them no leases of their houses or lands, but they are all tenants at wil and are often turned out of all to shift for themselves, if the Laird like them not. The men generally weare blew bonnets, and the women party-coloured plades which hang down to their heels. The poorer sort were all their Garments of white flanel with a short waste, ill shaped.

Thus you have had a briefe view of the country, and the condition of the people, and something of particular persons towards the English army during our stay with them. For the proceedings of the Scottish army and ours too, you have had them, and still have them related in the Weekly Diurnall.¹

LXXXVII

THE DEAN OF TUAM TO THE MARQUIS OF ORMOND²

1650
Oct. 15

MY LORD,—I was commanded by his Majestie to receive from Secretary Long the relation of the force put upon his Majesty in the breach of the peace made by your Lordship with the Irish. That in case I could not with safety bring the larger dispatches unto your Lordship; I should secure his Majesties lettre of credence unto your Lordship, and report unto your Lordship what the Secretary in that should deliver unto mee. Accordingly, I left his Majesties Court (St. John-

¹ The remainder of the letter contains a sketch of the military events up to the battle of Dunbar.

² *Carte MSS.* vol. xxviii. fol. 567.

stons), and came unto St. Andrewes (the Secretaryes residence), where, having made knoune unto him his Majesties pleasure, upon Satterday the 25th of August he gave me this relation :—

In the Treaty at Breda for the third Article in the Agreement betwixt his Majestie and the Scotts, the Scots with much violence insisted upon the breach of the peace made by my Lord of Ormond with the Irish, which his Majestie by no meanes would yeild unto, insomuch that the Treaty for three dayes was intermitted, and had like upon that occasion quite to have broken of; but the necessity of his Majestie's affaires so requiring to continue and perfect the Treaty, the King yeilded thus farr, that if a free Parliament in the Kingdome of Scotland should so thinke fitting, his Majestie then would find some way how with honor and justice he might make voyd that peace, in regard that the greater part of the Irish had not with faythfullnesse adhered unto his Leiftenant, the Lord of Ormond, but had broken on their side. In the meantime his Majestie would by no meanes permitt that any such thing should be inserted into the body of the Articles of Agreement, and it was concluded that that buisnesse should remayne in a distinct paper in the Earle of Cassells' hands,¹ in regard of the dishonour it might bring upon his Majestie, and the danger and prejudice it might bring upon my Lord of Ormond and his Majesties frends in Ireland. No sooner was this donne but his Majestie labored to informe my Lord of Ormond of what had passed, and immediately Mr. Richard Weston, the 16th of May last, was dispatched from Breda, and 150 l. given him to defray his charge. But when his Majestie came into Scotland he found him there, at which his Majestie was exceedingly troubled. After his Majestie had put to sea, and was as high as the coast of Denmarke, the Scotts' Commissioners shewed unto his Majestie new and higher propositions (upon the defeate of the Lord of Montrosse) from the Kingdome of Scotland, so that unlesse his Majestie would immediately take the Covenant and *in terminis* breake the peace made with the Irish, his Majestie was not to be received into Scotland; by which heightnings of propositions his Majestie was so dis-

¹ See *Clarendon State Papers*, vol. ii. App. lviii. note 1.

gusted that he resolved to have landed in Denmarke, and to lay aside all thoughts of comeing into Scotland upon such tearmes ; but, overcome with the intreatyes of his servants who layd before him the present sad condition of his affaires he yeilded *in terminis* unto the breach of the peace with the Irish, conditionally that it should not be published untill his Majestie had acquainted the Lord of Ormond and his frends in Ireland with it, secured them, and from them beene instructed how with honor and justice he might breake it, in regard of the breach on their part, and the disobedience (especially of the Ulster armye¹) unto his Leiftenant.

When his Majestie was now come into Scotland, and beene there some time, and Cromwell with a potent armie had advanced into the bowells of the Kingdome, a Declaration was by the Comissioners of the Kirk and Estates with all earnestnesse and violence pressed upon his Majestie to be signed by him ; which for three dayes he resolutely refused ; at length finding that not onely his liberty but his life lay at stake, and that he could not upon any other tearmes engage the Scotts upon the enemy (with whom they had frequent treatyes and an Agreement was feared) his Majestie, with unspeakeable dissatisfaction and regret, signed the Declaration.²

This is that which the Secretary delivered unto me to report unto your Lordship, and I doe humbly desire a transcript of it, under your Lordship's Secretary's hand, that I may give an account thereof unto his Majestie who sent me ; assuring your Lordship that I have not failed in any thing materiall, and very little or nothing varied from Secretary Long his owne words. In confidence whereof I doe, my Lord, hereunto subscribe.

JOHN KING.

Ennis, Octob. 15th, 1650.

[*Indorsed*] Relation given my Lord Lieutenant by Deane King of what he was ordered by Sir Robt. Long to say when he parted from Scotland.

¹ The army formerly commanded by Owen O'Neill.

² On August 16th, Walker's *Hist. Discourses*, p. 170 ; *Balfour*, vol. iv. pp. 90-94.

LXXXVIII

HIS MAJESTIES FIRST CONFERENCE¹

MR. KING,—I have received a very good character of you, and doe therefore give you assurance that however I am forced by the necessity of my affaires to appeare otherwise, yet that I am a true child of the Church of England, and shall remayne firme unto my first principles : Mr. King, I am a true Cavaleer. Here I fell upon my knees and said, God Almighty blesse your Majestie, and continue you in that resolution, and make you a nurseing father unto his Church ; then rising up I said : Your Majestie now sees how inconsistent the Ecclesiasticall Government here is with Monarchy ; the Kirkemen twice imprisoned your Majesties grandfather, and compelled him to approve that Government, yet when God put power into his hands he restored Episcopacy. Then his Majestie : Mr. King, the Scotts have dealt very ill with me, very ill. I understand you are willing to goe into Ireland. My Lord of Ormond is a person that I depend upon more then any one liveing. I much feare that I have beene forced to doe some thinges which may much prejudice him. You have heard how a Declaration was extorted from me, and how I should have beene dealt withall, if I had not signed it ; yet what concernes Ireland is no wayes binding, for I can doe nothing in the affaires of that kingdome without the advice of my Counsell there, nor hath that kingdome any dependance upon this, so that what I have donne is nothing, yet I feare it may prejudice my Lord of Ormond, and my frends with him, so that if you would satisfie him in this, you would doe a very acceptable service unto me, and although I cannot for the present reward you, yet, if God shall be pleased to put power into my hands, I will remember it unto you ; I have endeavored to send unto my Lord of Ormond very often, yet doe not find that he hath received any thing from me since the Treaty. I have endeavored unto my uttmost to preserve him and my frends there, but I have beene ill dealt with all.

1650
Oct. 15

¹ *Carte* MSS. xxviii. fol. 572. The conference with the King took place very early on August 20th. See p. 144.

The circumstances are too long to acquaint you with, Robin Long will informe you. My enemyes may make a great advantage by it to interrupt my affaires here, and to alien the Irish from me, although they intend to destroy them.

For such of the Irish as have beene loyall unto me, I will (by God's helpe), whatever my father or I have promised unto them make good unto them; and if they could for a while keepe on foote the businesse there, I doubt not but I shall shortly be able to put new life into it. I am resolved wholly to be governed in the affaires of that Kingdome by my Lord of Ormond, and I will write a lettre of credence to you. Remember me unto my Lord of Clanrickard, he is a good man.

Here his Majestie pawseing, I said: From the begining of the warr, the Lord of Clanrickard hath with much integrity adhered unto and labored to preserve your Majesties interest in that Kingdome. His Majestie replied It is their owne interest, aswell as myne, for what ever the enemye make them beleeve, they are resolved to destroy them. Remember me to my Lord of Incequin,¹ unto my Lord of Ardes.² Here his Majestie stay'd a while, and then said, Let me see whom doe I know in that Kingdome, then I mentioned unto his Majestie the Lord Viscount Dillon; his Majestie said, I know him very well, remember me unto him; I heare that he and his family are great sufferers for me; I pray remember me unto my Lord of Castle Haven; I know my Lord of Muscree³ too, remember me unto him. Then his Majestie stopping, I said, Sir Richard Blake hath beene a very faithfull servant of your Majesties; his Majestie returned: That is he who was Speaker:⁴ remember me unto him, and unto all such as my Lord of Ormond shall direct you; you will not find my Lord Taaffe in the kingdome.

This was upon a Munday at night about one of the clock⁵ when his Majestie had watched all the Court, and his owne servants (Mr. Semer, and Mr. Chiffins excepted) asleepe. Upon Tuesday (his Majestie's fasting day), about 3 of the clocke in the afternoone, I was privately brought into the Bedchamber by Mr. Semer,⁶ and then his Majestie spake unto me, thus:

¹ Inchiquin.

² Montgomery of Airds.

³ Muskerry.

⁴ Of the General Assembly of the Confederate Catholics.

⁵ One A.M. on the morning of Tuesday, Aug. 20.

⁶ Henry Seymour.

Tell my Lord of Ormond I would by no meanes have him come here, for they love him not, but if he come into Fraunce or Holland, he shall heare often from me. His Majesty here pawseing, I said : I humbly offer it unto your Majestie, to write also unto my Lord of Clanrickard, for it is reported that the Lord of Ormond hath left the Kingdome. His Majestie replied : That needs not, for if he hath left the Kingdome, he hath left my Lord of Clanrickard his Deputy, and your lettre unto the Lord of Ormond will secure the turne unto him, and what I direct you to speake to my Lord of Ormond say to him : Robin Long will tell you at large what I have beene forced to doe concerneing Ireland, and if I be not rightly understood, it may much prejudice my affaires. I resolve when God shall put power into my hands, I will breake in nothing with my good subjects of Ireland : Remember me unto my Lord of Ormond, Lord of Clanrickard, Lord Incequin, Lord Castle Haven, Lord Dillon, Lord Muscree,¹ Lord Ardes, and tell them that I preferre their particuler safeties unto any interest of myne owne in that Kingdome, and that I accompt it not onely an errour but a misfortune, that I came not thither when my Lord of Ormond invited me.

The day following I left Court (S^t Johnstons) and came unto St. Andrewes, where Secretary Long lay, who tould me he would dispatch me by Friday Evening ; upon Satterday Morning I came unto him, and delivered unto me two packquetts, the one was Mr. Weston's dispatch ; the other by the hand I knew to be from my Lord of Derry.² He bid me, in case I could not safely carry them to destroy them, and onely carrie my lettre of credence. I tould Mr. Secretary that his Majestie had referred me unto him, for the relation of the force put upon his Majestie, concerneing the breach of the peace, made by my Lord of Ormond with the Irish.

Then the Secretary replied :

I will breifely acquaint you with the whole carriage of that businesse. Upon the Treaty at Breda, for the 3^d Article in the Agreement, betwixt his Majestie and the Scotts, the Scotts with much violence insisted upon the breach of the peace

¹ Muskerry.

² Bishop Bramhall.

made by my Lord of Ormond with the Irish ; which his Majestie by no meanes would yeild unto. In so much that the treaty for 3 dayes was intermitted, and had like upon that occasion quite to have broken of, but the necessity of his Majesties affaires so requireing to continue and perfect the Treaty, the King yeilded thus farr, that if a free Parliament in the Kingdome of Scotland should so thinke fitting, his Majestie then would find some way how with honour and justice he might make voyd that peace, in regard that the greater part of the Irish had not with faithfullnesse adhered unto the Lord of Ormond but had broken on their side.

In the meane time his Majestie would by no meanes permitt that any such thing should be inserted into the body of the Articles of Agreement ; and it was concluded that that buisnesse should remayne in a distinct paper in the Earle of Cassells' hands,¹ in regard of the dishonor it might bring upon his Majestie, and the dangers and prejudice it might bring upon my Lord of Ormonde, and his Majesties frends in Ireland. No sooner was this donne, but his Majestie labored to informe my Lord of Ormond of what had passed, and immediately Mr. Richard Weston, the 16th of May last, was dispatched from Breda, and 150¹ given him to defray his charge. But when his Majestie came into Scotland he found him there, and he alleaged that he was not permitted by the Scotts, and made other frivolous excuses for his returne, though his Majestie did more then apprehend it a practise betweene him and L[ord] W[ilmot] and the Scotts, at which his Majestie was exceedingly troubled. After his Majestie had put to sea, and was as high as the coast of Denmarke, the Scotts comissioners shewed unto his Majestie new and higher propositions (upon the defeate of Montrosse), from the Kingdome of Scotland, so that unlesse his Majestie would immediately take the Covenant, and *in terminis* breake the peace make with the Irish, his Majestie was not to be received into Scotland ; by which heightnings of propositions his Majesty was so disgusted that he resolved to have landed in Denmarke, and lay aside all thoughts of coming into Scotland upon such tearmes ; but overcome with the intreatyes of his servants, who layd before him the present sad condition of his affaires, he yeilded *in terminis* unto the breach of the

¹ See *Clarendon State Papers*, vol. ii. App. lviii. Note 1.

peace with the Irish; conditionally that it should not be published untill his Majestie had acquainted the Lord of Ormond and his frends in Ireland with it, secured them, and from them beene instructed how with honour and justice he might breake it, in regard of the breach on their part, and the disobedience (especially of the Ulster armie) unto his Lord Leiftenant. When his Majestie was come into Scottland, and beene there some time and Cromwell with a potent armie had advanced into the bowells of that Kingdome, a Declaration was by the Comissioners of the Kirk and Estates with all earnestnesse and violence pressed upon his Majestie to be signed by him, which for 3 dayes he resolutely refused, at leng[t]h finding that not onely his liberty but his life lay at stake, and that he could not upon any other tearmes engage the Scotts upon the enemie (with whom they had frequent treatyes and feared an agreement) his Majestie with unspeakeable dissatisfaction and regrett signed the Declaration.

Mr. Secretary added that his Majestie had endeavored by all meanes possible unto humane wisdom to secure your Lordship and his frends in Ireland by timely informeing your Lordship with his proceedings in the Treaty, in order unto the affaires of Ireland, but that the negligence and treachery of thos employed by him had hindred. Here againe the Secretary charged L[ord] W[ilmot], and said that he had lately seene some papers of his Majesties copied and given unto the Scotts, which must needs be donne by L[ord] W[ilmot] or D[uke of] B[uckingham]. The Secretary concluded with high and significant expressions and professions of affections unto your Lordship, and that he desired nothing more then your Lordships preservation; that he much feared the prejudice and danger that this Declaration might bring upon your Lordship from the Irish; that he would have your Lordship preserve your selfe for the resettling of Ireland, and his Majesties authority there; that it was a worke he hoped by God ordeined for your Lordships prudent conduct, and that he him selfe should be in it instrumentall; and further desired, in case your Lordship conceived the preservation of the peace with the Irish necessary, and conducing unto his Majesties service, that Comissioners might be sent to offer that into Scotland.

This is that which his Majestie and Secretary Long delivered unto me to report unto your Lordship (wherein I humbly conceive), I have failed in no thing materiall, and have very litle or nothing varied from their owne expressions (beseeching your Lordship that I may have a copie of this delivered unto your Lordship under Mr. Lane's¹ hand). In confidence whereof I doe, my Lord, hereunto subscribe.

Ennis, Octob. 15th, 1650.

JOHN KING, Decanus Tuamensis.

[*Indorsed*] Deane Kings mesage delivered by vertue of leters of credit from his Majestie. dated the 13th of Agst. 1650.

Ennis, 15 Oct. 1650.

About the Kings declaration in Scotland against the Irish peace of 1648.

LXXXIX

HENRY NASH TO WILLIAM EDGEMAN²

1650.
Dec. 1²

SIR,—I have receaved your letter of Oct. 19, and cannot but mourne with you for the losse of the Deane of Ely,³ which is the more to bee lamented, because men soe good and inimitable ar rare to bee found, especially in the High Preists' hall, or zone where you now inhabite, where the Disciples of St. Peeter in the warme sunne, ar apt to deny and forsake their Master; and I wish you all may bee enough sensible thereof, and looke the more diligent to yourselves. I presume you have before this heard the like sadd tydings, by the death of the prince of Orange, who dyed about five weeks since of the small poxe, or partly (as may bee guess'd) of his phisition, who allowed hime to change and shift his linnen, not lesse than thirty times in the week hee was sick. About tenn days after his death the young Prince⁴ was borne, who is lively and well, but not yet christned, nor the Father buryed. The Princesse royal is as

¹ George Lane, Ormond's secretary.

² *Clarendon MSS.*, vol. ii. No. 457.

³ William Beale. He died in Spain.

⁴ Afterwards William III.

well as you may imagine a lady in her condition, more cast downe with greefe and weeknesse, then the joy of a sonne could revive, but now (with God's blessing) in a cleare likelyhood of strength. The late Prince in his will settled 15000¹ sterlinge per annum for a dowry to the Princesse Royal (which should have beene 20000¹ in case shee had not had a sonne), with many additional and good gifts beside, which belong to a personal estate. I heare of noe guardian to the young Prince ; but the infant and the estate is yet wholly in the goverment of the princesse royall and her officers, but how long it will soe continue, or how soone it will alter, those much wiser than I can little imagine. The States Generall seeme to bee kind and civill to the prince and princesse, but have named noe new Generall of their armys, but disband dayly, and ar most likely to reserve the power in their owne hands. They ar shortly to have a general meetinge to determine of affayres more particularly, and amongst the rest whether they shal acknowledge the English rebels for a Free state. Some seeminge difference hath beene lately betweene them and the Londiners about fishing and some trade to the West Indyes (which I confesse I understand not), whereupon the States' Agent¹ is returned home to his masters, but in the end I ame affraid they will prove but birds of a feather, and of all these particulars I beleeve you will have better intelligence from the Hague. About six weekes since also there begann a newe scene of businesse in Scotland, where the King's Majestie assayed to quitt the Kirck party,² and to joyne with one who pretended more loyalty, the

¹ Joachimi.

² A good account of the state of parties in Scotland is given in the following letter printed in the *Weekly Intelligencer*, Oct. 22-29 (E. 615, 8), p. 36 :—
 'SIR,—We are now preparing to do something in way of stopping recruits, they use great forcing to the people about Douglassdale, and other parts. We shall not be long, if God inable us, before we visit them. They have some places to fortifie in the West, if they had time, Gudson and Conock (? Galston and Cumnock) and other places, but I hope we shall prevent them suddenly. And in Fife they have had great divisions, and many fractions very high among them. We had certain intelligence from their army that are devided very strongly into four several factions, each of which considerable to withstand the other respectively. The one of these factions are those whom the Kirk labored to have removed out of the Army as Sectaries, such as stand most to their first principles, and that totally and utterly decline the Royal

heads of which were Marquess Huntly, Lord Ogleby, with many of the nobility, and Middleton for their Generall. His Majestie's first intentions were imparted to the Lord Duke of Buckingham, Lord Wilmot, and Lord Lauderdale, who with arguments clearly dissuaded him to desist and change his opinion; but upon some ensuing fresh dislike, his Majestye assumed his former resolution; and only when putting his foot in the stirrup (as to ride a huntinge), hee imparted his mind to the Duke of Buckingham and Earle Lothien. Lothien seem'd as one astonished, but the King assured him his intention was mainly to unite all parties against the common Enemy; that hee conceived this the likeliest meanes, and though his usage and respect proved not with them, as hee had expected, yet hee would make good whatever hee had promised, eyther at Breda or since his comming into Scotland. The Duke of Buckingham tooke horse as in duty to follow the King, but missing him, returned back againe

Party. And these are Ker and Straghan and their complices, who do much cry out against the Earle of Cleaveland, the Lord Wentworth, and Malignants that are active in Scotland. The second faction are the old Malignants, that would faine make head to be revenged for Montrosses death, and the rest that the Scots beheaded, and others of the Marquisse of Huntlies friends in the North of Scotland. Some few of these are about the hills, but they dare not appeare in a body, nor declare against the Kirk, but lye ready to a rising, with their consociates, if the Scots declared King shall find an opportunity to invite them to it. They only wait in expectation of that day. The third faction are the new Cavaliers, or who, renouncing their former actings, would have a receiving of the King's party upon any termes, and no obstructions in the advancing of their King, and al his party to be assistant in their several interests. And of this faction are David Leshly, Maj-General Holburne, and those in Fife, together with the Governor and the rest of the Garison at Sterling, and with these are the most of the Scots Lords very active, and the ridged Kirk men. And the fourth Party are such as are lukewarme, who are betwixt the former extreams, they would not have the Royal party quite rejected, nor would they have them received, upon their own termes, but have a moderation thought upon, that though they be received, yet their hands may be tyed so that they cannot hurt them, nor have power to disturb them. And of this faction are the Marquisse of Arguile, and most of the Burgeses of the shires. The Marquisse of Arguile was lately at Sterling, and from thence he and others sent out and convened the Committee of Estates, who Assembled to make up and compose the differences amongst them. Some expedients have been offered for the English Cavaliers, the Lord Wentworth, the Lord Cleaveland, Sir Edward Walker, and all the English Lords, to depart Scotland, except the Duke of Buckingham and the Lord Newburch, and none

to St. Johnntoune. Lothien imparted what passed to the Committe, who presently dispatch'd Collonell Montgomery and a party of twenty horse to follow the King, with their letter and desires. After one nights lodginge and 40 miles ridinge, the letter-bearer alone overtook the King, and, while readinge and discoursing of the letter, the party appear. His Majesty requires then Montgomery alone to come unto him, who soe much prevailed as to perswade the King to returne, and that his attendants, which were two Scotts Lords, Mr. Progers, Doctor Frazer, and two others, should passe whither they thought best for their safety, beeing privy to the designe al of them. For the party which his Majestye intended to meet, they were not at that time gathered into a body haveinge fayled of their randevouz, which was appoynted the day before; but presently, after they were assembled to the number of 3000 men, who were againe remanded by his Majestye to lay downe their armes, haveinge promises both

but only such as are of the Presbyterian account, or have not been Souldiers, to be about their King. Other things have been offered for three of the parties, to have severall bodies, only the Cavalier party, which appears not visible, nothing is said concerning them.

But it is believed that their great Convention herein wil be to little purpose, as may appear both by their former and latter actings and transactions amongst themselves. David Leshlyes actings with his party is very barbarous against the Inhabitants in Fife, where his Souldiers plunder, kill, ravish and abuse the Country very much, and some have been put to death for refusing to serve and stay with him when forced, and there hath been private quarrels and cuttings between the new Cavaliers and Presbyters. And as for Col. Ker and Col. Straughan and their party, they went into the West without any order either from their King, Committee of Estates, or Councel of David Leshley and his Officers, and there are raising Forces upon the only account of their own party.

Some have fled out of Fife into the Western parts towards Straughan, who have there highly exclaimed against David Leshly and his Forces, and they have had some meetings about Nidesdale at Solway, and other places, to draw up Articles to the Committee of Estates, and the Commissioners of the Kirk, against Lieutenant General David Leshley. And yet in the midst of al these, they are (even al of these) our bitter and apparent enemies; only their divisions amongst themselves may give us some advantages. Their King being at St. Johnstons was withdrawn, his Guard not knowing what should become of him; four Horses are gone with him. Straughan sent a Letter to his Excellency, and we are one days march towards him. His Excellency had debate with his Councel about an answer. You may shortly expect action.

October 10, 1650.

from the Assembly and Committe, that shortly all partys should bee united, and admitted in the common quarrell. After all this, November 20th old stile, was to be a new session or meetinge of their old Parliament, and that the day appoynted also for his Majesty's coronation, in which, if they can yet make up these breaches, there may bee some hope left, if not a faire game is like utterly to bee lost. Besides these there is also a 3 party in Scotland, rigid for the kirk, if not halfe independant, one Car and Strawhan ar cheefe, with about 4000 men in the west of the country. These have lately had some treatys with Cromwell, and remonstranc'd somthinge (which sounds ugly) about the last King, as if he deserved death, and only the manner of inflicting it was not justifiable. The assembly at St. Johnstoune cry out upon this doctrine, and would call the authors to account, or threaten excommunication, but it may bee feared their power will priviledge them from the one, and they but little value the other, and unlesse the Parliament can better tutor them and bringe them to repentance and unity, their headinesse may endanger the undoeinge or loosinge of all. Since those passages his Majestye seems better valued and respected then formerly. I pray God it may bee cordial, and that it prove soe in the future. The English Nobility and Gentry there have a long time stood upon ice, and have only stay'd expectinge whether their banishment would bee confirm'd or reversed in the Parliament, which is likely determined before this time, and with a faire wind the report or certainty therof will not bee long from arriveinge here. I can say nothinge of Cromwell's army, but that they dye much more of the flux than sword, God[s] anger beeinge much more provoked then the Scotts' valour. The only good newes is from Ireland, where reports would perswade us that the Marquesse Ormond is master of the feild, and hath given the Rebells a great defeat. The story is this, Hardres Waller draws up bfore Limerick, which stood upon its owne guard, not admittinge of any souldiers; the Lord Ormond, doubtinge the strength or constancy of the towne, draws nigh to releve it, and upon a treaty, obtaines way to march quietly and privately through a part of it, to fall upon Waller's quarters, which takeinge effect successfully, he took and kill'd 3000 of the Rebells with all

their baggage and munition. The story methinks is not the most ridiculous that ever I heard, and though we have beene often deceaved in reports of Ireland, yet I have some faith as well as hope to creditt this, especially my Lord Taffe beeing an author of it at Bruxells, and a common sayinge in London. Unlesse new supplys ar sent over the rebells cannot keep their gaininges in that kingdome, the plague also haveinge very much destroyed them. We heard three weeks since that Prince Rupert had taken very rich prizes of the East India marchants, and had put into Breast in Brittany, of which yet I can learne noe certainty. The Parliament fleet is said to be all returned home with above 4000 chests of sugar. The Duke of York's highnesse is yet at Bruxells, and about tenn days hence to passe to the Hague, and we hear from Swed[en] that their Queene is lately crowned with great pomp and solemnity. Sir, if I know any thinge else I should be willinge to impart it, though, I suppose, all may bee needlesse, because Dr. Morley will give you, as we say of books, an edition corrected and enlarged; who I ame sure hath the fuller intelligence, and is not usually sparinge of his paper, but this in obedience to your desires, which should be as larg at other times if I had matter. I shal therfor say noe more, but that your Freinds here and those in Ingland ar all in health; letters now not soe opened as formerly. The little Gentlemen remember them unto you, and if you please to present my respects to Mr. Heerman and other Freinds with you, you may further command in what you please. —Sir, your assured and faithfull servant, HA. NA[SH].

Antwerpe, Dec. 12th, 1650.

Mr. Holder came lately from Scotland to the Hague, who brought the letters of the Scottish newes. The Duke of Lorraine talkes of giveinge the Duke of York 2000 horses beinge 8 regiments appoynted, if he wil serve the King of [Spa]ine or the Emperor, but if hee looks only homward I know not how it will take effect.

[Indorsed] Mr. Nash.

Dec. 12.

XC

EXAMINATION OF THOMAS COKE.¹

1651.
March 31.

IN August next will be 2 yeares the prisoner went over into France upon some occasion to speake with his brother then residing there. Being at Paris and the King of Scotland then at St. Jermyns he went to St. Jermyns.² The King then going to Jersey enjoyned his attendance thither where came Commissioners from Scotland with propositions which if the King would grant they had power to consent to a treaty. After long debate the King consented to their demands, and a treaty appointed att Breda March $\frac{5}{18}$ following. Thither this Deponent attended the King, but the treatie was there transacted privately betweene the King, Prince of Orange, Duke Hamilton, Duke of Buck., and the Commissioners from Scotland, the particulars he knoweth not. But upon the agreement hee is assured that the Scots did declare and undertake that if the King did fully confirme and give satisfaction to their desires when he came into Scotland, that they would not only admit him to that which they called his just rights there, but also assist them in the recovery of his other crownes. Thereupon a designe was then layd for raysing of forces in severall partes of England for their assistance when they should come in, viz., Duke of Bucks. was with their consent named Generall of the Easterne Association, Lord Newcastle of the Northerne Counties, Earle of Derby, of Lancashire, Cheshire, and the Counties adjacent, Lincolneshire reserved to the Lord Willoughby of Parham, who was [to] be sent to for that purpose with speed. Subordinate officers were nominated in most of these places for the modelling of severall armies, Lord Gerard was after made Generall of Kent, Surrey and Sussex, his agents James and Hollingstone [?] are now in England as this deponent hath heard, and who for the Western Counties this deponent cannot tell. There was some contest betweene Grenvell and

¹ Tanner MSS. liv. fol. 14. Coke's remaining examinations are printed in the Hist. MSS. Commission's Report on the Duke of Portland's MSS. Thirteenth Rep., App. part i. p. 277.

² St. Germain.

Hopton about command there, and the Lord Beauchamps, as he hath heard, was to have some interest in it. This deponent being in very great necessity for a subsistence, resolved to repaire into England home again which he did from there in June following. The King taking notice of his resolution required him to looke after his service there. The first was if any persons came for directions in order to his affair to him to give the best he could. The second to send him word what happened, into Scotland if it were possible. As to the second, Duke Hamilton and Bucks. promised to send one out of Scotland to Warrington in Lanc., to meete mee there, for settling a way of correspondence, which I professed I was not able to doe. There came with mee into England Blake¹ and Sir Rich. Page. The former talked of some designe upon Yarmouth and the islands adjacent, as also of Wallingford Castle. The latter brought a letter from the King directed to Mr. Calamy, Mr. Love and some others to bee communicated to the rest of the ministers in and about London, to joyne with the King since he was joyned with the Scots, and to stirre up their congregations to that purpose. Hee made application to deliver the letter to them, but what answeare he had in particuler I cannot tell. He told this deponent he had very good wordes. This deponent after his arrivall staid some ten dayes in London, went after home into Derbyshire, from there to Warrington to the Eagle and Child, the place appointed, where he heard nothing of any person out of Scotland, in respect of the distractions there had stopped the passage, whereupon that designe vanished. Att the same time at Breda Alderman Bunce had informed the King that he had received an overture from one Mr. Ford a merchant, that the Lord Fairefaxe had intimated to him by some meanes, that he thought himselfe bound in conscience to give the King some assistance, and that upon good termes he would comply with him to that purpose. It was intimated that Mr. Rushworth and his Lady had great influence upon him to that effect. The King gave me direction to repaire to Mr. Ford and to offer my Lord Farefax in his name to make him Earle of Essex, to give him what

¹ Blague.

place he pleased in England, and as I remember 10,000¹ *per annum* lands if he would bring in with him any considerable part of the Army to the Scotch interest. Immediately upon my arrivall the army was marched Northward and the Lord Fairefax displaced and the overture became fruitlesse. One Dr. Blake (as I remember his name) was thought would be instrumentall in that bisnesse. Alderman Bunce sent over one Mr. Hougarden a Dutchman att the same time to negociate for raysing and returning of moneys from London into Holland.

This Deponent heard of some designe about the same time concerning Dover Castle to be acted by one Mr. Brehame [?] but knowes no particulers. After that this deponent had beene in England 8 weekes he heard of his brother's death in France. Thereupon he gave over all thoughts of publicke affaires, applyed himselfe to take the Engagement and to compound for that estate, petitioned the Councell of State for a licence to come to towne to prosecute his composicion which was granted, and accordingly he did compound as he thought for all new delinquency, to bee quiet for the time to come, but he submits that as all other thinges to the judgment of this Councell. Since that time he hath nether receaved nor sent any letter or message or kept any correspondency with any person within this realme concerning publicke affaires. Neyther hath he any opportunity so to doe. And if any persons from Scotland may send to him letters or messages upon the old score, he never receaved nor never intermeddled withall, he sayeth in justice that suspition will not bee imputed a capital crime to him. He knoweth not any one person in Norfolke, Suffolke, Essex or the Easterne Association and he is very confident there is no thought of any rising there. Hee knoweth as little particulers of that hee hath heard that the gentlemen of Cheshire, Lancashire, and the partes adjacent would joyne with the King if any came in, and that there by armes and amunition att the Dean of Kiverns house, but he hath not acquaintance with any one gentleman in these counties that are engaged therein neyther knoweth any particulers of his owne knowledge. One Dutton told this deponent a good while since that Chirk Castle must bee obtained for the King if there were occasion. This deponent protests, as hee hopes for mercy att the day of

judgment, that he is neyther partie nor privy to any rising, tumult or designe for eyther to bee had in England or Wales other then before is specified. Neyther hath hee any intelligence or correspondence to that purpose.

I heard at Breda an overture of a designe, that Sir George Carteret should from Jersey land 800 men att a place called the Dudman¹ Head in Cornewall, which they sayd was a place tenable of it selfe, and that Sir Rich. Greenvill should bring some men out of France to joyne with him to land in the same place.

31 Mart. 1651.

[*Indorsed*] Fowle Copy of Mr. Cook's Peticion
and Paper from the Tower.]

¹ Dodman.

APPENDIX

TRIAL OF NEIL MACLEOD OF ASSYNT¹

Curia Justiciarie, S.D.N. Regis tenta in pretorio burgi de Edinburgh, secundo die mensis February 1674, per honorabiles viros dominos Jacobum Foulis de Collintoun, Joannem Lockhart de Castlehill, Joannem Baird de Newbyth et Thomam Wallace de Craigie Commissionarios Justiciarie dicti S.D.N. Regis.

1674
Feb. 2-13.
Lord Collintoun, preses.

CURIA LEGITTIME AFFIRMATA.

Intran. Neill Mcleod of Assint, now prisoner in the tolbuith of Edinburgh.

Lord Advocat
agt. Mcleod of
Assint,
Treason, etc.
found clean by
ane Assize.
The Lybell.

Indyted and accused that wher be the Lawes and acts of parliament of this kingdome and particularlie be the third act of the first parliament of K. Ja. 1 and the 25 act 6 par. K. Ja. 2, it is statut and ordained that if any man committ or doe treason ag^t the Kings person or his Majestie, or ryse in fear of weir ag^t him, or layes hands upon his person violentlie, or receipts any that hes committed treason, or that supplies them with help, redd, or counsell, or that stuffs the houses of them that are convict of treason, or holds them out against the king, or that stuffs houses of ther own in furduring the kings rebels, or that assalyies Castles or places wher the kings person shall happen to be without consent of the three estats of parliament, committs hye treason, and shall be punished therefor as traitors: As also by the 75 act of the 9 par. Q. M., It is statut and ordained that no manner of person or persons of whatsoever qualitie, estate, condition, or degree they be of leidges of this realme attempt to raise any bands of men of warr, on

¹ *Book of Adjournal*s, Justiciary Office, Edinburgh.

horse or foot, with culverings, pistolls, picks, spears, jacks, splints, steill bonnets, whytt harness, or other munition bellical whatsoever for daylie, weeklie, or monethlie wages without speciall licence hade in wreitt and obtained of hir Majestie and her successors, under the paine of death to be execut upon the raisers of the said bands, and also upon them that conveyes and ryses in bands: And sicklyke be the common lawe of all nations, and be the municipall lawes and acts of parliam^t of this kingdome and daylie prat^{qs} therof, the imposing of taxa^{ns} and impositions upon the subjects is the prerogative of the Kings Majestie and the three estats of parliam^t, and the usurpers thereof are punishable with forfaitor of lyff, lands, and confisca^{ns} of goods; as also it is statut and ordained that the takers of free persons and putting violent hand on ther persons and committing them to captivity and prison but warrand or commission from the Kings Majestie, Is a cryme most detestable and abominable in itself as ineroaching upon the soveraigne prerogative and authoritie most treasonable usurping in and upon them the Regall power; and sicklyke be the twentie first act 1 par. K. Ja. 6 of happie and blessed memorie, intitulat Act anent theft and receipt of theft and taking of prisoners by thieves; it is statut and ordained that no thieves, robbers, or broken men take any Scots man at any tyme therof^t under the pain of treason and lese Majestie: neverthesse it is of veritie that the s^d Neill M^eleod of Assint, having shacken off all fear of God, dewtie, and alleadgance to his prince, and respect and regard to his Majestie's person and lawes, did in the moneths of March, Apryll, May, June, July, or August 1649 years, upon ane or other of the dayes of the sed moneths, or ane or other of them most perfidiouslie, treacherouslie, baslie, and inhumanlie under trust take and apprehend the person of James, late Marques of Montrose, his Majesties hye commissioner and Leivtennent Generall whilest he was invested with his Majestie's commission under his hynes' seall for that effect, and delyvered him prisoner to the rebels, his Majesties enemies, then in armes ag^t his hynes aut^e, by whom the s^d Marques was cruellie and inhumanlie murdered, for the which the s^d Neill M^eleod received the number of four hundred bolls of maill as the reward of the s^d treasonable act,

and which mail was delyvered to him be Sir Robert Traquhar of Monzie. Lykeas in the moneths of June, July, or August upon the first, second, third, fourth, fyft, or ane or other of the dayes of the said moneths, or ane or other of them, in the year of God 1654, the s^d Neill M^cleod did raise and convocat his countrey men and did oppose Kenneth, Earle of Seaforth, who hade gone ther by Commission from the Earle of Midletoun, his Majesties Generall for the tyme, to raise the countrey for his Majesties service, and did absolutelie refuse to give any obedience to his Mat^{ies} commands, but on the contrair did at the same tyme assist the English rebels under the command of generall Major Morgan, and conducted them throwe the s^d Earl of Seaforth his countreys of Strathyerrick, Strathblane, and Strathhounan, which they did burne, wast, and plunder, and the s^d Neill did cary and dryve away a great part of the plunder and a great number of cowes, horses, and other goods home with him to Assint, whilst the s^d Earle wes in his Majestie's service, and not in a capacitie to recover them from theemie. And sicklyk in the moneths of May, June, July, August, Septer., October, Nover., 1669 and 1670 years, the said Neill M^cleod in ane arbitrarie maner Impose heavie and greivous taxa^{ns} upon all ships both in the Royall companie and others belonging to the subjects of this kingdome that did touch ground in the Loch of Inver in Assint, exacting from everie ship touching ground in the s^d Loch three shill. sterling and sex pence per last, ane barrell of aile for the use of the s^d Neill, and another barrell for the use of his balyee, ane paire of shoone and four shilling sterling nightlie during the tyme the s^d ships lay within the s^d Loch, and did impose upon everie boat that did attend the severall ships lying in the s^d Loch of Inver in Assint ane dayes fishing weeklie, and did taxe and impose the double of the sed burdens upon ships belonging to straingers, and that by ane attour what he hade right to, and wes in use to uplift as heritor. And also the s^d Neill M^cleod, with convocaⁿ of diverse deboisht, brocken, and masterlesse men, extending to the number of fourtie persons or thereby, all of them being boddin in fear of weir, with bowes, dorlacks, tuo handit swords, bandit staffs, hagbuts, pistolls, carrabins, durkes, and other weapons invasive, having

conceived a deadlie hatred, malice, and evill will ag^t the person of Cap^t John Keir, in the moneths of September and October 1669, did come to the Loch of Lochinver, wher the s^d Cap^t Keir wes for the tyme, he being about his laull. affaires in a peaceable maner, expecting no harme, injurie, or invasion to have bein offered or done him, but to have lived under God's peace and his Majestie's, and threatened the said Captain Keir with present death, unlesse he hade yealdit to ther outrageous will and pleasure, wherupon the s^d Neill and his complices most treasonable patt violent hands in the person of the said John Keir, and made him his captive and prisoner, and transported him with them as captive and prisoner from the s^d Loch of Inver to the remott montains and caves of Assint, wher violentlie he wes kepted and detained be them *tanquam in privato carcere* for the space of three dayes, untill the said Captain John Keir redeemed both his lyff and libertie with a soume of money. As also upon the first day of June M. vi [c] and seventie years, the said Neill M^cLeod did garison and stuff his house of Ardrack with the number of tuentie Neilsons alias Cleichcanabricks and others, his Majestie's declaired rebels, and ordered John M^cean vic crockell alias M^cLeod in Auchmoir, and Angus M^ckye in Oldein, commanders and governors of the s^d garrison, and furnished and provydit the s^d garrison with swords, durks, pistolls, muskets, guns, hagbutts, bowes, and dorlacks, and other munition bellicall, and the Sheriff of Sutherland having, in obedience to a chairge given him in our name, be virtue of letters of ejection raised at the instance of Sir George M^cKenzie of Tarbet and John M^cKenzie, son to the Earle of Seaforth, gone to the house of Ardrack to eject the said Neill his bairnes and servants, the said Neill did most proudlie, contemptuouslie, and treasonable fortifie and maintaine the said house with his Majestie's rebels above ment. And being upon the 27 of December 1671 requyred be the s^d Sherriff to render and delyver up the s^d garrison, the said Sherriff having shoven the letters of ejection bearing his Matie's. signet, be which he wes commandit to eject the s^d Neill, his servants and familie, thir proud and treasonable expressions were returned, viz., that they cared not for the King, nor would they regaird any seall but the seall of the s^d

Neill ther master, and that they would mantaine the house for the Laird of Assint against the King and all that would take his part. Lykeas John M^eean vic crocell, Angus M^ekye in Oldein, and the other Rebells with which the s^d house wes stuffed be the s^d Neill, did, in performance of the s^{ds} treasonable expressions throwe ane great carr stone from the battlement of the house of designe to have brained the said Sheriff, and did present above mentie. bendit guns to him when he attempted to discharge his dewtie to his Majestie and the Leidges in execution of the s^{ds} letters of ejection. And for the assistance of his treasonable and rebellious garrison fortified and maintained as s^d is, the said Neill did lye in seight therof, with his companies of armed men in militarie and battle array. Lykeas the said Neill and his complices being upon the 28 of February 1671 years, declaired fugitive be his Majestie's Commissioners of justiciarie for these and other crymes, these wes ane Commission of fyre and sword directed be the Lords of his Majesties Privie Counsill to the Earle of Seaforth, Lord Lovitt, Laird of Foulis, and others, ag^t the s^d Neill M^eleod and his accomplices, and yet the s^d Neill having informed himself of the said Commission, did most insolentlie and treasonable, upon the first, second, or third dayes of May, June, July 1672, or ane or other of the dayes of the said moneths, convocat and raise in armes four hundred brocken men, over whom he placed Captaines, Leivtennants, Ensignes, and other officers, and for seall weeks together did muster and dreivell them, and displayed collors, and did swear them to the samen, and did reinforce the garrison of Ardrack with men, armes, powder, ball, and other necessities for warr, and the Earle of Seaforth having upon his great chairges and expenses, In obedience to the Commission given to him, convocat and gathered together eight hundred men, did march to the said house with cannon and other engynes for battering the said house, notwithstanding that the said Neill and the other rebells wer requyred and chairged in his Majesties name to render up the said house and to dismiss the forces he hade raised in armes, yet the s^d Neill and the Rebells and brocken men putt in for maintaining the s^d house of Ardrack be the said Neill, did villipend and sleight the samen, and did return this treasonable answer, that

they would maintaine the s^d house for the Laird of Assint to the last drope of ther blood, and that they cared not a plack for the King; and after fourtein dayes seidge made be the s^d Earle and his forces, the said John M^{ean} vic corckell, governor, and the other officers of the said house, finding that they wer not able to endure any longer seidge, did deal with the said Earle of Seaforth for libertie to acquaint the s^d Neill, who being in the montains near the said house, accompanied with three hundred men in armes, and the said Neill understanding that they were not able any longer to defend the s^d house, yealdit to and ordered the rendering of it, requyring ane barrell of powder which the s^{ds} Rebells hade not spent, and the said house of Ardrack being rendered, the said Earle and the other persons contained in the Commission, did persew the s^d Neill, and did dissipat the partie of three hundred men which the said Neill hade raised in armes in maner fors^d; and the said Neill being forced to flie to Caithnes and Orkney, he wes taken prisoner by Sir W^m Sinclair of May, and sent prisoner to the tobuith of Edinburgh by the Counsills order, wher he now lyes. Of the whilk hynous and treasonable crymes of lese Majestie and raising band of men without his Majesties licence, and mantaining them, and also of imposing heavie and greivous taxa^{ns} upon the subjects of this kingdome, and upon straingers trading and traffecking within the same, as also the treasonable putting violent hands upon the person of Captain John Keir, taking and apprehending of him as captive and prisoner, keeping and detaining of him in his and his accomplices companie as captive and prisoner in montaines and caves, *tantum in privatis carceribus*, in maner and be the space for^d, and of stuffing treasonable his house of Ardrack with twentie Neilsons alias Cleicheanabricks and others, his Majestie's declaired rebels, and in fortifieing and mantaining the same ag^t his Majestie and his autie., and of treasonable rysing in fear of weir ag^t his Majestie, in convocating 400 brocken men, and in appoynting Captaines, Leivtennants, ensignes, and other officers over them, and mustering and drewling them for several weeks togither under displayed banners, and treasonable swearing of them to ther collors, and of treasonable vilipending and disobeying his Majesties order commanding the said house of

Ardbrack to be rendered, and slighting the samen in maner before declaired. Hes also therethrow committed manifest and avowed treason expreslie contrair to the tenor of the s^{ds} acts of parliament; and of raising of bands of men of weir, with culverings and pistolls, and be the committing therof has incurred the paines and punishments above wwritten at lenth ment. therintill, viz., the losse of lyff, land, and goods, which ought and should be inflicted and execut upon him with all rigor, to the terror and example of others.

Persewer.

Sir John Nisbet of Dirletoun, Knight,
our soveraine's Lord Advocat.
Alex^r Grahame of Drynie, Informer.
Sir George M^cKenzie, Advocat.

Prors. in defence.
M^r John Elies.
M^r Robert Colt.

His Majesties Advocat produced ane warrand from the Counsell for persewing Neill M^cleod of Assint, and desyred the samen might be recordit in the Bookes of Adjournall, wherof the tenor followes: Ed^r the 5^t day of August 1673, The Lords of his Majesties privie Counsell having considered a petition presented be Neill M^cleod of Assint, Doe hereby grant order and warrand to his Majesties Advocat to Indytt and persew the s^d Neill M^cleod before the Commissioners of justiciarie upon these crymes for which he is apprehendit and incarcerat, as he shall receive informaⁿ therof from the Earle of Seaforth, and in the mean tyme modifies sex shill. Scotts per diem from the dait heiroy for the s^d Neill his aliment, to be payed be the s^d Earle of Seaforth, at whose instance he is incarcerat, aye and whill he be brought to a legall tryall, and, if need beis, ordaines letters of horning to be direct herupon in forme as effeires. Extract be me, *Sic subscribitur*, AL. GIBSONE.

The Lord Advocats warrand for persewing Assint.

His Majesties Advocat declaires he does not insist upon the first tuo crymes lybelled, but only as aggravations.

M^r John Elies for the pannel alleadges that the fors^d lybell, The Debate. whereby the pannall is accused for fortifieing the house of Ardbrack and convocating his Majesties leidges, tho the samen wer relevant and proven, yet the pannall cannot be lyable to

the paines of death and punishment of treason as is lybelled, but must only be subject to ane arbitrarie punishment in suae farr as the 2^d acts is foundit upon the Acts of Parliament lybelled. It is conceaved they doe not fall under the compasse of the s^{ds} lawes, for it does clearlie appeir be the tenor of the fors^d acts that the samen does only relate to the committers of treason ag^t the King's person recepters of traitors and stuffing ther houses with munition bellicall which is not so much as subsumed ag^t the pannall. And as to Quein Marie's act anent convocating of the leidges, it does appeir both by the rubrick of the act, and be the tenor of the samen, that the banding and raising of men of weir under pay is thereby prohibit which can only be understood of levieing men for resisting the King intending the subversion of the State, but cannot be at all nnderstood to millitat ag^t a forceable resistance of any privat parties Interest, and which as is clear from the fors^d acts of parliament, so its most consonant to the common lawe, and the opinion of doctors in suae farr as in the descrip^{ts} of lese Majestie ad Leg. Juliam Majest. It is expresslie said *Quo armati homines cum telis lapidibusve in urbe sunt convenient adversus rem publicam*, upon which lawe the Interpreters doe distinguish tuo kinds of sedition and Convocaⁿ *alio tendunt ad exitium principis et mutationem rei publicis alio ad exitium privatorum*, and states the committers of the first kind of sedition to be guiltie of treason, and the other to be punished arbitrarie. But so it is that the cryme as it is lybelled is only a convocating of his own tennents in order to the resisting of letters of ejection raised at the instance of my Lord Tarbett, wherupon no action or blood followed and therfor cannot fall under the compasse of the s^d acts of parliament so fare as to conclude a capital punishment and the cryme of treason.

My Lord Advocat answers: That instruments are taken that no defence is proponed ag^t any of the other articles of the dittay except only the tuo last, contained in the same, and therfor his Majestie's Advocat declaires that as to the tuo first articles anent the treasonable taking and delyvering his Majesties Commissioner, the Marques of Montrose, and the

pannalls joyning with and assisting the English rebels under Morgan, he does not insist upon the samen at this tyme bot as aggrava^{ns} of the other crymes and articles contained in the dittay, and he craves that the dittay may be putt to the knowledge of ane assyse upon the remnant articles for which no defence is proponed. And as to the said tuo last articles and the above wreitten debate ag^t the relevancie of the same the dittay is opponed to be most relevant and foundit not only on the lawes ment., and lybelled speciallie in the dittay but lykewayes in generall upon the lawes and acts of parliament. And be the common lawe and acts of parliament lybelled and diverse other acts of parliament, It is clear that the deeds and acts contained in the s^d tuo last articles doe not only import a delict and cryme to be punished peind ordinaria but amounts to the cryme of treason lese Majestie and perduellion as appeirs be the 6 par. Ja. 2 cap. 14, whereby it is statut that non rebell ag^t the King's person or his autoritie and ther cannot be more clear and positive rebellion ag^t his Majestie's autoritie than the doing the treasonable deeds contained in the said articles, viz.: the stuffing, garrisoning, and holding out house ag^t persons invested with his Matie's. commission, and until, as is lybelled, and the s^{ds} articles amount to that height of Rebellion and nottoritie that besids the treasonable deeds fors^d, most injurious and treasonable expressions were uttered ag^t his Majesties autoritie, viz.: that these who wer in the garrison therein ment. would mantaine the house for the Laird of Assint to the last drope of ther blood and that they cared not a plack for the King, lyke as it^s most clear that the sd^s articles, and speciallie that anent the Garrisoning the house fors^d is directlie and doun right in the caice and under the compasse of the 25 act 6 par. K. Ja. 2. The pannall's house being, as is lybelled in the s^{ds} articles, holden out and stuffed ag^t the Kings autoritie in furtherance of rebels and rebellion. And as to the act of 2 M. 9 par. cap. 75 ther cane be nothing more clear than that the caice in question Is *in terminis* under the compasse of the said act in suae farr as it is lybelled that the pannall did convocat and raise in armes 400 men or ther-about the tyme lybelled, and did place captains, ensignes, and other officers over them, and did the other deeds contained in

the s^d articles, or ane or other of them. And not only be the s^d act of parliament the raising of bands of men of weir without speall. licence of the supream magistrat is forbidden and punished, but be the common lawe it is treason upon any pretence whatsoever to raise or keep together any number of men in armes or forces in a militarie way without warrand from autiē. It being the unquestionable prerogative of the King's Majestie that there should be no raising in armes without his warrand much lesse ag^t his autiē as is the caice lybelled and be the 5^t act of his present Matie's first parliament It is declaired that it is and shall be treason to the subjects or any number of them more or lesse upon any ground or pretext whatsoever to ryse, or continue in armes, or to maintain any forts, streanehs, or garrisons without his Majesties speall. autiē hade and interponed therto.

Mr John Elies replyes that the fors^d defence is opponed, and as to the acts of parliament adduced by the persewer wherby he fortifies his lybell, Viz., 14 act 6 par. K. Ja. 2, whereby it is prohibit that any person should rebell ag^t the King's person or his authoritie, the samen does not constitut any certain or definit punishment ag^t the transgressors therof, and as to the 5 act 1 par. K. Ch. 2, It is answered that the samen most receave interpretation from the current and tract of preceeding lawes and from the common lawe, wher it is only prohibit *bellum gerere injussi principis*. So that the said act, which is Intitulat ane act affecting his Majesties prerogative does not exclude all others from raising warr, Intertaining of souldiers, but does not extend to all convocat^{ns} and resistances of privat parties interest, otherwayes the samen might be extendit to deforcement where the samen is resisted *cum vi armata*, and people gathered for that effect, which cannot be supposed to be the meaning of that act. And wheras it is alleadged that slanderous and treasonable expressions ag^t the Kings person were used by these who wer within the house. It is answered that the samen is nowayes relevant ag^t the pannall seeing it is not so much as lybelled that he wes within the house, nor so much as who spoke them; *et delicta*, especially where they consist in words *suos tenent authores*, and tho the pannall hade given order to have defended his house ag^t the

fors^d ejection, and if any person within the house have exceedit that order the samen cannot be obtrudit ag^t the pannall for the reasons fors^d. This is all proponed denying the Lybel and protesting to be heard upon the rest of the articles of the s^d Lybell, which are seperat and foundit upon distinct lawes *et in criminalibus contra reum non concluditur*.

Mr. Robert Colt, Advocat, as pror. for the pannall, alleadges that as to the first member of the dittay insisted upon anent the alleadged imposing of taxes and exactions upon his Majestie's subjects the article of the Lybell is nowayes relevant in the maner lybelled, for albeit the imposing of taxes for public cess be the prerogative of the Supream Magistrate yet that does nowayes impeded but that any heritor without whose bounds there is fishing the s^d heritor may exact most laullie. these dewes that merchants or fishers who fish within his bounds or anker ther ships or drawes ther nets upon his ground as hes bein in use to be payed to the masters of the ground for the privilege and benefit of fishing, which is the pannall's caice, and he, being a free heritor, and ther being severall Loches within his bounds within which merchants and shippers were in use to repaire and fish, the pannall did but exact what any heritor may legallie requyre in the lyke caices; and albeit that either he or any of his balyies might have exceedit in exacting more than was dewe, yet that is only a ground for a civill action for repetition, but cannot be a ground of a dittay to infer capital punishment fare lesse the cryme of treason, and at the most is only punishable arbitrarie as a ryott. As to the second member anent the alleadged imprisonment of John Keir, that article as it is lybelled is nowayes relevant to inferre the punishment of death, for the act of parliament foundit upon is only wher theives or robbers doe take the person of free subjects and without warrand imprison them, which is nowayes the pannall's caice, he being a free barron and denying allwayes the Lybell, albeit that either the pannall or any of his balyies had imprisoned the person of Keir upon his refusing to pay what he wes lyable in upon the account fors^d, as being a merchant fishing ther; yet that wes no crime, at the least is only lyable to ane arbitrarie punishment, for by the comon lawe *pena privatum carcerem exercentis* is

not punishable *ultimo supplicio*, but only *ad arbitrium judicis* as sayes Clarus Lib. 5^{to} § *finali quest.* 68 num. 32 *ad finem*, and the persewer proving the s^d imprisonment, it is offered to be proven be the pannall be the persewers own witnesses that he wes that tyme *alibi*.

M^r John Elies adds that the exacting of more than the ordinarie meid dewes is not relevant to infer any punishment, unlesse they would positivlie condescend upon acts of violence, force and other compulsitors, in which caice the samen are punishable arbitrarie, but if the samen be not condescendit upon and the pannall being in use to exact such dewties tho of a lesse quantitie, it is to be presumed that the merchants gave them upon liberalitie or for considera^{ns} known to themselves, and therfor cannot be the ground of any dittay ag^t the pannall it being unheard of that ever any person was condemned for a ryott unlesse acts of violence had been condescendit upon and proven.

His Majesties Advocat triplies to the above written duplyes to the debate anent the tuo last articles of the dittay, the former replyes and dittay is opponed, and as to the defences proponed as to these articles anent the imposing taxa^{ns} and the taking of Captain Keir prisoner till he wes ransomed, it is answered to the first, that the dittay as opponed be most relevant, and the imposing of taxa^{ns} by any subject without warrand or authoritie being ane hye invasion and incroaching upon and assuming of royall authoritie is a most hye and treasonable cryme, and as to the pretences that the pannall did exact only these dewes which were formerlie in use to be payed, the defence is frivolous, seeing the defender neither doeth nor cane alleadge that he hes right by infestment to any such dewes, or that he is infest *cum portu*, in which caice only a small and inconsiderable dewtie of anchorage is and may be exacted, whereas the imposit^{ns} lybelled are great and considerable, imposed unwarrantable by him, both upon his Majestie's subjects and upon straingers, to the great prejudice and disturbance of trade, both as to the importing and exporting, and in spe[ci]all of the interest and companie of fishing, especiallie seeing the s^{ds} imposit^{ns} were exacted most insolentlie and tirranicallie, and it is acknowledged that Cap^t Keir wes imprisoned upon the same occasion and account, and wes dealt with so hardlie that he choised

rather to adventure to goe out with the ship in stormie weather than to be under the lash of the pannall's oppression, and upon that occasion being forced to goe to sea, did perish in the same with his shipe and companie. And as to that alleadgance that the act of parliament anent the taking of his Majestie's leidges is only to be understood in the caice of theives and brocken men, the said act of parliament is opponed, bearing the narrative that it is not unknowen that continuall theft, reiff, and oppression is committed within the bounds of the Sherriffdoms therin ment. be theives, traitors, and other ungodlie persons, and the theives and brocken men, inhabitants of the said shyres, takes diverse of his Majesties subjects, and detaines them in prison till they be ransomed, which being the act and the ground of the act, and the evill intendit to be removed and obviated therby, does regulat and interpret the statutorie part of the same, and it cannot be denied but the defe^r does fall and comes under the character and qualifica^{ns} fors^d, being nottorlie ane ungodlie person and ane traitor, having taken and delyvered, as said is, his Majesties hye Commiss^{re} and the taking of his Majesties leidges be way of oppression, because they refuse to pay the arbitrarie exactions and impositions of the defender imposed upon them, in effect is a taking of his Majesties leidges be way of theft and oppression, and the defender cannot pretend that he did only uplift, in respect it is offered to be proven by a warrand under his hand that he gave warrand to uplift double custome, and he cannot pretend he wes not ane brocken man the tyme he took Captain Keir, because befor the tyme fors^d he was declaired fugitive and his Majesties rebell and *exlex*. And the pretence above mentionat that the deed lybelled wes upon the account of ane ejection at the instance of a privat partie is most unwarrantable and frivolous, in respect tho the said pretence were true, yet no person could warrantable garrison, or hold out any house, or make any opposition to his Majesties authoritie when the Sherriff or other officer came ther upon what account soever they came to the pannall's house; but if he apprehendit any wrong, he ought to have taken a legall way for reparaⁿ by applicatⁿ to ordinarie judicatories, without having proceedit to hostill oppo^{sns}, especiallie considering that the tuo last

articles, or ane or other of them, were comitted efter he wes denounced fugitive, and efter Commission of fyre and sword wer direct ag^t him.

Master John Elies quadruplyes that, whether the cryme lyb^l be found punishable capitallie or *peona arbitraria*, yet the lybell is nowayes relevant as to that article of garrisoning his house, unlesse it wer offered to be proven that he being requyred in the King's name and his autie. did violentlie resist or use any acts of hostilitie ag^t any having the King's commission, which cannot be subsumed in this caice, but upon the contrair it cannot be denyed but when he wes required to delyver up the house, the samen wes delyvered upon his order, so that the s^d lybell neither condescending that the house wes garrisoned by his order, or that he wes present ther himself, or that he gave order to hold out the samen, or did resist when he wes requyred to yeild, the said article is most irrelevant, it being free for all his Majesties subjects, especially those who live in remott and brocken places, to putt provision and men in ther houses, or keep themselves close at home for resisting of privat incursions. (2^{do}.) Whereas it is lybelled that the second convocatⁿ wes made in the moneth of June, July, or August 1672, efter le^{rs} of intercommuning wer gotten ag^t him, it is alleadged that the lybell is not relevant, not condescending upon the preceise day when the s^d convocatⁿ wes used, which condescendance, as it is necess^r in all crymes, upon the generall ground in lawe that *in criminalibus non licet vagare*, that the pannall is therby precludit of his defence of *alibi* and other exceptions competent to him, so fare more it is necessarie in the cryme lybelled, which is alleadged to have bein committed efter the commission wes given out, and that the tyme of the parties staying togither most of necessitie be proven, the day most be particularlie condescendit upon, to the effect it may be compared with the commission, and by the ordinarie practise of this Court, the persewer hes bein full appoynted to condescend at least upon the moneth. (2^{do}.)¹ The lybell is nowayes relevant unless it wer proven that the Commission wes presented to him, and that notwithstanding therof

¹ ? (3^{tio}.)

he did remaine in armes or refused to lay down the samen, or did any acts of violence, which is not nor cannot be alleadged.

The Lords Commissioners of Justiciarie desert the dyet as to the third article anent the taxing of the subjects and as to the fourth article anent the taking of Captain Keir finds the samen relevant as it is lybelled to inferre the pain contained in the acts of parliament, as also finds the defence of *alibi* relevant, and remmitts both to the knowledge of ane assyse. As to the fyft quoad the furnishing and keeping out the house ag^t the Shirreff in June 1671, finds the samen not relevant to inferre the conclusion of the lybell.

The Lords
Interloquitor.

As to the treasonable words specified in the sext article finds the samen not lybelled ag^t the pannall and deserts the dyett as to that.

As to the first member of the seventh article, Viz.: that efter the publicaⁿ of the commission of fyre and sword the pannall did convocat and raise four hundred men in armes, did frame them in companies, swear them to collors, and trained them in way and maner lybelled. As also the second member therof anent the pannall, his garrisoning and reinforcing the house of Ardrack in way and maner lybelled efter the publicaⁿ of the said commission of fyre and sword: the Lords Commissioners of Justiciarie find the samen relevant *per se et separatim* and remmets the same to the knowledge of ane assyse.

Mr. John Elies, pror. for the defe^r, takes instruments upon the Interloquitor:—

The Lords Commissioners of Justiciarie continues this Dyett till to-morrow at tuo o'clock, and ordaines the assysers and witnesses to attend each person under the paine of tuo hundred merkes.

Continued.

Curia Justiciarie, S.D.N. Regis tenta in pretorio burgi de Ed^r, tertio die mensis februarii 1674, per honorabiles viros Dominos Jacobum Foulis de Collintoun, Robertum Nairn de Strathurd, et Joannem Lockhart de Castlehill, Commissionarios Justiciarie dicti, S.D.N. Regis.

Lord Advocat
agt Assint
continued.

The Lords Commissioners of Justiciarie continues the dyet

att the instance of his Majestie's Advocat ag^t Neill M^cLeod of Assint till to-morrow at three o'clock, and ordaines witnesses and assysers to attend each person, under the pain of tuo hundred merks, who are warned heirof *apud acta*.

Curia Justiciarie, S.D.N. Regis tenta in preitorio burgi de Ed^r quarto die mensis Februarii 1674 per honorabiles viros dominos Jacobum Foulis de Collintoun, Robertum Nairn de Strathurd, Joannem Lockhart de Castlehill, Joannem Baird de Newbyth, et Thomam Wallace de Craigie Commissionarios, Justiciarie dicti, S.D.N. Regis.

Lord Strathurd
preses.

CURIA LEGITTIME AFFIRMATA.

The Lords Commissioners of Justiciarie continues the dyet at the instance of his Majesties Advocat ag^t Neill M^cLeod of Assint till Monday, the nynt of this instant, and ordaines witnesses and assysers to attend ilk person under the pain of 200 merks.

Curia Justiciarie, S.D.N. Regis tenta in preitorio burgi de Edinburgh, Nono die mensis Februarii 1674, per honorabiles viros Dominos Jacobum Foulis de Collintoun, Robertum Nairn de Strathurd, Joannem Baird de Newbyth et Thomam Wallace de Craigie Commissionarios Justiciarie dicti, S.D.N. Regis.

CURIA LEGITTIME AFFIRMATA.

Lord Advocat
agt M^cLeod of
Assint Treason,
continued.

Intran. Neill M^cLeod of Assint, indyted for treasonable convocation and garrisoning of houses and other crymes ment. in his dittay.

Persewer.	Prors. in Defence.
His Majesties Advocat	Mr. John Elies.
Alex ^r Grahame of Drynie, Informer.	Mr. Robert Colt.

The Lords Commissioners of Justiciarie continues this dyet and haill deceison therof till the sexteint of this instant, and ordaines witnesses and assysers to attend, each person under the pain of tuo hundred merks.

Curia Justiciarie, S.D.N. Regis tenta in preitorio burgi de
Edinburgh decimo sexto die mensis Februarii 1674,
per honorabiles viros Dominos Jacobum Foulis de
Colintoun, Robertum Nairn de Strathurd, Joannem
Lockhart de Caslehill et Thomam Wallace de Craigie Lord Caslehill
preses.
Commissionarios Justiciarie dicti, S.D.N. Regis.

CURIA LEGITTIME AFFIRMATA.

Intran. Neill Mcleod of Assint, indyted and accused for Lord Advocat
agt Assint.
the crymes of treasonable convocation, and garrisoning of
houses and other crymes ment. in the crimll. letters and
Indytment raised against him which is booked the 2nd day of
this instant.

Persewer.

Sir John Nisbet of Dirletoun, Knight,	Prors. in Defence.
his Majesties Advocat.	Mr. John Eleis.
Alex ^r Grahame of Drynie, Informer.	Mr. Robert Colt.

His Majesties Advocat doth alleadge that the Interloquitor, Debate.
being only upon what is said allreadie and debated, he ought
and does humblie desyre to be heard as to some poynts for
clearing the same, and first as to that part of the dittay anent
the imposing of unwarrantable taxes and impositions upon the
leidges, he declaires that the deeds lybelled, tho they be
unwarrantable usurpa^{ns} of his Majesties authoritie, yet they
are only insisted upon to infeir such arbitrarie punishment as
the Lords shall please. 2^{do}/ As to that poynt of the dittay
anent the deforcement, it is desyred that the Interloquitor may
be cleared, and in order therto, it is declaired be his Majestie's
Advocat that he insists only upon that point that the dittay
be sustained to inferre the pain contained in the act of parlia-
ment Ja. 6 par. ii. cap. 84, viz. capitall punishment, and that
the pannall be in His Majestie's will for his lyff and goods,
in respect the said deforcement in December 1671 (the cir-
cumstances and aggrava^{ns} lybelled being coosidered), doe
amount verie near to treason, and ought to be hyelie punished
at least capitallie conforme to the forsaid act. (3^o) It is
desyred as to the tuo last points of the dittay, viz. as to the

stuffing and garisoning and provyding the houses lybelled; and as to the rysing in armes lybelled with a number of men efter ane commission wes granted for fyre and sword: and in order therto his majestie's Advocat does declair he insists on the dittay in suae fare as it contains the substance of the crymes lybelled, Viz. the stuffing and provyding the house lybelled and the s^d rysing in armes in the termes and words contained in the acts of parliament and especiallie in the late act in anno 1661, nowayes restricting himself to prove the circumstances and aggrava^{ns} lybelled, and in speciall that as to the number of men, seeing the rysing in the termes contained in the acts of parliament is not defyned as to the certain number of men, and the perswer condescends upon the number of ane hundred and upwards. And as to that circumstance anent dreivlling¹ and having collors² and beating drums and such lyke the persewer does not astrict himself to prove the circumstances fors^d, they being only aggravations without which the dittay may and ought to be sustained, especiallie seeing it is positivlie offered to be proven that the rysing in armes with the forsaid number condescendit on wes after the commission for fyre and sword.

Mr John Elies answers, before the pannal make particular answers to the fors^d alleadgances, which containes a representation against the fors^d Interloquitor. The pannall does humblie represent that he having thir severall dayes bein pannalled in order to the answering of a lybell containing a compliceⁿ of severall crymes of a verie hye nature and all resolving in ane article of convocating his Majesties leidges to the number of four hundred in the maner lybelled, his Majestie's Advocat and his Informer finding that they are not able to prove the samen (having conversed with the witnesses) does pretend to the rectificaⁿ of the said Interloquitor upon the ground above represented. To which it is answered that the former debate and Interloquitor is oponed, by which there is *jus queisitum* to the pannell, and cannot now be altered, explained or declaired except in the caice where any of the assyse shall doubt and desyre to be resolved, which by act of parliament is to be done

¹ Drilling.

² Colours.

in face of judgment, and as by the 79 act ii. par. K. Ja. 6, It is statut and ordained by the Kings Majesties speciall will and direction that no precepts for continuing any justice Courts be admitted be the justice or his deputts in any tyme coming so farr lesse cane the Justices rectifie and declair ther own Interloquitors in prejudice of the pannall for having found the lybell relevant in the termes of the Interloquitor and appoynted the same to passe to the knowledge of ane Inqueist wherupon Instruments wes taken, it is *conclusum in causa* as to the relevancie, and the Inqueist becomes judges to the probaⁿ, the judges of the relevancie being *judices qui nudam notionem habent* as to the relevance and *quam primum sententiam dicunt sunt functi officii*.

And whereas it is pretendit that the Interloquitor is not craved to be altered as to the substantialls the number of men and other circumstances lybelled not importing, seeing the act of parliament is indefinit that all rying in armes is treason; it is answered that the act of parliament being only ane assertion of his Majesties prerogative of raising armes and making peace and warr does indeed prohibit subjects to raise in armes upon any pretext whatsomever, but the samen cannot be extendit to any other convocations and rying in armes, but what in the construction of lawe are treasonable *et tendunt ad exitium status rei publici*, otherwayes convocations at head courts of persons who ordinarillie cary armes, or goeing to hounting with numbers of men gathered for that effect, or for suppressing of thefts, robries, and depreda^{ns} should fall under the compasse of the said lawe which certainlie wes never the meaning of the legislators, and lawyers themselves doe distinguish as to the number of men according to the place, circumstances and maner of living of the people wher such persons are convocat, so that the rying in armes lybelled being in the hylands where the people doe ordinarlie goe in armes somtymes not under the number of ane hundred, and particularlie it being nottor in the countrey of Assint, that at the tyme lybelled and se[ver]all times befor, the people ther did meit in order to the resistance of Robbries committed be severalls of the hyelanders, such convocations in the generall cannot fall under the compasse of the fors^d act of

parliament unlesse it wer speciallie lybelled, qualified, and circumstantiat that the said rysing wes done with a designe and intention to resist his Majesties au[thori]tie and government, whereas upon the contrair it does clearlie appear by the lybell and wholl tract of this affair that though the conveyⁿ lybelled wes proven in the termes lybelled, yet the same was only to defend themselves against letters of ejection raised at a privat partie's instance, and a pretendit commission of fyre and sword which wes the consequence therof, and of the privat person's own procuring, and as lawyers in such horrid crymes as parricid and treason does requyre that machination, *dolus* and designe should be expresslie demonstrat and proven, and gives this reason, that in parricid *arctissima proximarum personarum necessitudo et reverentia erga parentes debita doli suspicionem aut minuit aut tollit* so the cryme of treason lybelled, being of ane hye nature importing no lesse than the rebelling against the soveraigne, the thought wherof the pannall does abhorre; it is humblie expected from your Lo^s justice that ye will not state the pannall amongst the number of notorious traitors and rebels unlesse it were pregnantlie and positivlie lybelled and proven that he did convocat and raise such a number of men, and did so traine and disciplin them, and did, or threatened, such acts of violence with them as there may be no other construction, lest but that he did designe to overturne and subvert or resist the King's Majestie and government, but in so fare as the samen did tend to evit the violence of any privat partie, tho under the pretence of lawe, it cane be no more at most, but *vis publica* and punished arbitrarie; in respect whereof, etc. And as to the deforcement is answered adhearing to the former Interloquitor and debate the lybell is nowayes relevant, because no execution of deforcement is produced against the pannall, nor is it libelled so much as that any mess^{gr} wes ther, or that he did proceed to eject, or that the pannall did make resistance. All this is proponed denying the Lybell and adhearing to the former Interloquitor and debate.

The Lords Commissioners of Justiciarie continues this Court and haill causes therein till Wednesday, the eighteint instant,

at tuo o'clock in the afternoon, and ordaines assysers and wittenesses to attend, each person under the paine of tuo hundred merks.

Curia Justiciarie, S.D.N. Regis tenta in preitorio burgi de Edinburgh, Decimo octavo die mensis Februarii 1674, per honorabiles viros Dominos Jacobum Foulis de Colintoun, Robertum Nairn de Strathurd, Joannem Lockhart de Caslehill, Joannem Baird de Newbyth et Thomam Wallace de Craigie.

Lord Collintoun preses.

CURIA LEGITTIME AFFIRMATA.

The Lords Commissioners of Justiciarie having read and considered the former debate in the action persewed by His Majesties Advocat against Neill Mcleod of Assint; they find the sext article anent the deforcing the Shirriff as it imports that the pannall did deforce the Shirriff, or that the Shirriff was deforced be others at his command relevant, to inferre the punishment of deforcement. As to that part of the last debate anent the levieing of taxes, the Lords adhear to ther former Interloquitor without prejudice to his Majestie's Advocat to raise new letters upon that dittay, In caice it be found be the civill judge that the pannall hade not right to impose and levie the said taxes.

The Interloquitor in the action.

Lord Advocat agt Mcleod of Assint.

As to the first member of the last article of the lybell anent the raising of men in armes, the lords for clearing the assyse finds it relevant that efter the publicaⁿ of the commission for fyre and sword, the pannall did raise or levie ane hundred men or upwards in armes, and putt them under officers or militarie disciplin, or swore them to collors, or hade them under collors or dreivled them, or putt them under daylie, weeklie, or monethlie pay.

And as to the last member of the said article, the Lords find the same as it is declaired in the debate, viz.: that efter the publicaⁿ of the sd^s letters of fyre and sword, the pannall stuffed, provydit, and garisoned the house of Ardbreck, lykways relevant and remitts the same to the knowledge of ane assyse.

ASSISA.

Chancelar.	Sir Alex ^r M ^c oulloch of Ardwell.	James Somervail of Drum.
	Mr. James Elies of Stenhouse- milns.	Mr. Robert Smith of South- field.
	James Fleyming, merd.	George Galbreath, merd.
	John M ^c Lurge, merd.	Mr. Alex ^r Paterson, merd.
	Robert Childers, merd.	Thomas Noble, merd.
	Mr. John Paipe of Wallieford.	
	John Watson of Damhead.	
	Mr. Robert Blackwood, merd.	
	Batholomew Home, merd.	
	Robert Handiesyd, merd.	

The witnesses' names. The persons of assyse were laullie sworn, no objection in the contrair.

The persewer for probaⁿ adduced the witnesses efter named, Viz., Donald M^cean vic conell vic Kynach *alias* M^cleod in the knocken of Assint.

Angus Miller in Auchmore.

Donald Bayne in Dingwall.

John Fraser ther.

Objections ag^t
the witnesses.

Mr. John Elies for the pannall objects against Donald M^cean vic conell vic Kynach *alias* M^cleod, in the knocken of Assint, that he could not be received as a witnes, because 1^o be the act regulating judicatories, it is appoynted that when any crim^l lybell or summons of exculpa^{ns} is execut against any partie, the list of the witnesses ought to be given to the pannalls, to the effect they may know what to object against the saids witnesses, but so it is the said lybell having bein articulat, consisting of severall crymes differing of ther own nature, The name of the witness, and the article which he wes to prove, ought to have bein exhibit to the pannall, to the effect he might knowen what to object against him, Which the persewer wes so farr from doeing in this caice, that in place of distinguishing the articles of the lybell and giving in the names of the distinct witnesses to everie article, they have given in list the name of the said witness, under the name of Donald M^cean vic conell, which is not at all his name and designaⁿ ther being severalls of that name, which by the custome of the

Countray are distinguished by ther rep^{ve} designa^{ns}, which not being addit to the list, he ought not to be receaved as a witnes, as being a person not given up in list conforme to the act of parliament. (2^{do}.) He cannot be receaved as a witness to prove the fors^d convocaⁿ and rysing in armes, because it is offered to be proven that if any cryme wes committed by the pannall in the fors^d rysing and convocaⁿ, he wes *socius et particeps criminis*, in so farr as it is offered to be proven that at the tyme lybelled he wes in armes with the rest of the parties alleadged convocat, and so it is presumed in lawe *aut omnino crimine ellusurum aut in particeps derivaturum*, and which tho in some caices *in levioribus criminibus qui non irrogant infamiam*, and which does not fall under the compasse of lawe as to capitall punishment, has bein contravected, and no more but controverted, the Commissioners of Justiciarie themselves having found that such witnesses cannot be receaved even in the caice of demolishing a cott house, Robertson v. Robertson, yet *in atrocioribus criminibus*, and which falls under the compasse of lawe as to capitall punishment, it hes bein allwayes looked upon as *in dubitate juris*, and authorised by many of your L^{rs} practq^s, and particularlie in a late deceision in favors of Captain Barclay, wher a witnes wes expesslie repelled upon this ground, that he wes in company with the actors when *in rixa* a man wes killed, and fare more the said witnes ought not to be sustained in this caice, where not only it is offered to be proven he wes *socius criminis* in maner fors^d, but the pannall having bein ejected out of his land be virtue of letters of ejection and a commission for fyre and sword, he is now tennent at least under the command and au[thori]tie of the Earle of Seaforth, who, tho he be not ane direct informer of the caice, yet his Chamberland's freinds and others in his name are informers to the King's Advocat in this persuit, and particularie Alex^r Grahame of Drynie, who is designed informer in the crim^l letters, is Chamberland and balyie to my Lord Seaforth in the countray of Assint.

M^r Robert Colt adds, That it is the comon opinion of lawyers that *socii criminis* are so fare from being receaved as witnesses, that albeit two of them should depone against a partie as guiltie, yet ther testimonies could not be sufficient

for conviction; so sayes Clarus, Lib. 5^{to}, § finali, num. 9, and does particularise the caice, viz., *Si duo testes deponant contra notarium quod eos corripuerunt non est sufficiens ad probationem*. And it is generallie receaved by all the Doctors, that *Nominatio facta contra reum per socium criminis alia non concurrente presumptione non est sufficiens nodum ad torturam*, so sayes the same author in his 21 quest. *Ibid.*; And it is statut by 2 M., 9 par., 15 act anent raising bonds of men of weir, the penalties in the statut is as weill against those who ryses, as against the partie who is alleadged to be the convocator, so that such a person cannot be receaved a witnes who is equallie guiltie with the partie against whom they are to depone.

His Majestie's Advocat answers that to the objections fors^d, and first, that member of the same upon the regulation, he oppones the execution and list of the witnesses containing the witness objected against, and ther names and surnames; and as to the second member of the said objection that the said witness is *socius criminis*, the Advocat takes instruments upon the proponing the said defence, and that the pannall does thereby acknowledge the crime, and his societie and accession to the same, seeing *relata se probant*, and a witness cannot be *socius* to the pannall unles he wer gailtie himself. (2^{do}.) The objection of *socius criminis* is only competent in these caices, viz., When any person that is pretendit to be *socius* is adduced as witness for the person accused, in which caice the reason adduced by M^r John Elies does not militat that it is presumed that he is *ellusurus criminis*, and will declair both in favors of the pannall and himself; and (2^{do}), when a person being suspect and hath confest that he hath committed a cryme, does lykwayes declair against other persons as *particeps*, in which caice, if by his own confession he made himself guiltie and infamous, and having named others, it is to be presumed that he will adhear to his declarat^{ns}, it being the ordinar, tho miserable *solatium miserorum habere pares*, and therefors in that caice the opinion of lawyers cited be M^r Colt does *militat et non creditur sine tortura*; or, thirdlie, when a person is convict of a cryme by a crim^l sentance importing infamie; in that caice such a person being *socius criminis*, cannot be a witnes, because he wants fame and integritie, which is the fundation of all

credit, and in speciall of that to be given to witnesses, and therfor seeing it cannot be subsumed that these witnesses are in any of the caices fors^d, being neither adduced for the defender, nor being so much as *inquisiti*, much lesse *damnati*, and having emitted no declara^{ns} or confession against the pannall in judgment, the said objections are of no weight nor relevant against them.

2^{do}. As to the pretendit practq. alleadged in the caice of Captain Barclay It is a mistake, seeing the witnes that wes objected ag^t in that caice wes not alleadged to be *socius criminis* with the Captain, but in effect to have bein a partie against him, and *testes domesticus* to the persewer in that caice: it being alleadged that the said witness came out of the persewer's house of purpose to invade and sett upon the said Captain, and did concurr with these whom the Captain alleadged he wes forced to defend himself against, and in speciall, being of kine with the person whom he killed for his own defence as he pretendit.

3^d. It is not proven that the witnes in question hade any accesion as *socius criminis*.

4^{to}. Tho the said witness were *inhabilis*, as he is not, for the reasons above deduced, yet in this cace, for proving a lybell and dittay of treason persewed at the instance of his Majesties Advocat upon the account of publick interest and be order of the Lords of privie Counsill, they may and ought to be admitted as witnesses because *socii criminis et testes alioq. inhabiles admituntur in criminibus exceptis* and in spe[ci]all. *in crimine lese Majest[at]is Lignullus Cod. ad Leg. Jul. Maj. in eo enim crimine omnibus equa conditio est et Leg. famosa diegest eod.*, Which is also clear by the opinion and authoritie of all the doctors, conform to the saids lawes, and namelie Farin Lib. 2, quest. 56, num. 148; Muscard, conclus. 464, num. 14.

Minores and others *et participes criminis admituntur testes cum veritus aliter habere, nequit et quando constat ex natura actus quod testes alii non adsunt*, and speciallie the cryme of treason. Muscard dicto Lib., conclus. 467, num. (6^{to}) et 7^o. Alex^r consill 64, num. 5^{to}, Lib. 1^o, et doctores passim. And the same is clear by ane act of Sederunt, anno 1591. It is

statut that *socii criminis* may be admitted witnesses in caices of lese Majestie.

M^r John Elies replies that the former objections, founded upon lawe, reason, and the practq^s above deduced, is opponed, and whereas it is pretendit that *socii criminis admittuntur in crimine lese Maj.*, It is answered that *socii criminis* in all crymes, generallie without exception, are not receaved witnessess, and tho some lawyers have bein of opinion that *in crimine lese Maj.*, sodomie, false monete, heresies, and such crymes, *que facile sine sociis committi non possunt*, *socius criminis* hes bein receaved, yet the samen was only in ordo to question and tortour, and not to make faith in judgment and to be the ground of condemnation. The presumption in lawe that *socius criminis* will ey^r tergiveise or deny the whole cryme, or lay the blame on the pannal remaining alseweill in the cryme of *lese Maj.*, and others above cited, as in any other cryme; which is consonant with the opinion of Clarus Matheus and others cited be them, and if in any cace upon extraordinarie occasion such witness hes bein receaved in treason, it wes only in the caice where treasons consisted in machinations, designes, and Counsill, where the nature of the cryme required such witnesses as absolutlie necess^r: and the fors^d witness cane upon no pretence of lawe be admitted in this cace wher the cryme lybelled is not in lawe treason *jure communi*, ther being no acts of hostilitie intendit *contra rem publicam*, but only falls under the compasse of lawe against *vis publica*, and is found by the Interloquitor to fall under the Statut anno 1661 Anent convocating of subjects, and so is only treason *jure statutorio*, and cane nò more be pretendit to be *lese Majestie* then theft in a bandit man and murder under trust.

Interloquitor

The Lords Commissioners of Justiciarie repells the objection and replie in respect of the answer, and sustaines the witnes to prove the rysing in armes and garisoning the house, and treasonable convocation.

Objections ag^t
Angus Miller.

M^r John Elies alleadged that Angus Miller in Auchmore could not be receaved as a witnes against the pannal because he wes declaired fugitive and a commission of fyre and sword given out against him for some of these verie crymes which are lybelled ag^t the pannal.

The Lord Advocat answers that notwithstanding therof he ought to be received for proving the crymes of treason lybelled. Sustained as
witness.

The Lords sustaines the said Angus Miller to prove the rysing in armes, garrisoning the house, and treasonable convocat^{ns}.

James Comrie, measor of Court, of consent of both parties, wes admitted interpreter, and sworne *de fidei*.

Donald M^ceanvic conell vic Kynach, *alias* M^cleod in the knock end of Assint, of the age of threttie years or therby, married, solemnlie sworne, examined and interogat depones, that near about Whitsunday jajvi seventie tuo, the pannall, Neill M^cleod of Assint, did raise about three hundred of his own men and did put them in a formall company under officers, and that the officers were named by the Laird, and that the officers wer the Laird himself, Angus M^cLemish, and Neill M^calaster, and that they had a staff in stead of collors, and that they putt ther hand to the collors and said they would be true to them, and that Murdo Dure caryed the s^d staff or collors. And that the deponent wes with them three dayes befor he left them; and that he left them together in armes, and that they driven out to be dreilled, and depones that the deponent wes called be the Laird the pannall. Depones that about the same tyme the house of Ardbrack wes garrisoned with men and provydit with victuall and amunition be the pannall, and that John M^cconell vic ean vic cockell wes Captain of the said house and garison. And that the Earle of Seaforth did march towards the house with the King's forces and cannon with him, and lay about eight dayes befor the house, and did make ane engyne of timber lyned with earth and did therwith approach to the root of the wall befor it wes given over to my Lord Seaforth who hade the Kings Commission, and that the said Captain was the pannall's tennent and son-in-lawe. And depones that the pannall never used to want powder and lead in the house, *causa scientie*, he wes present and sawe as he hes deponed. Depones that he cannot speake Inglis nor wreitt, and this is the truth as he shall answer to God,

The witnesses
depositions.

Sic subscribitur, JA. FOULIS, I.P.D.

Angus Miller, in Auchmoir, of the age of threttie years or therby, married, purged of partiall counsell, solemnlie sworn, examined and interogat upon oath depones, that somtyme in the hinder end of the spring which is the moneth befor Beltan 1672, the pannall, Neill M^cleod of Assint, did raise about three hundred men, the most part of them having armes, and that they wer putt under officers, viz.: his own brother, and the persons ment. in the former depositions, viz.: Angus M^cLemish, Neill M^calaster, and Murdoch Dure; and that they hade a staff in stead of collors and did put ther hands to the same and promised to be true to the same in spytt of anything that might oppose, and that at that tyme they stayed togither about tuo parts of a day and thereafter dissolved and went sundrie everie man to his own house; and that three days befor the Earle of Seaforth came with the King's forces to the countrey, the Laird did convocat about fourtie men togither at most: and that these fourtie men did remaine about tuo dayes with the pannall, and that the pannall did put in eightein men in garison in the house of Ardbrack, and that he did provyd it with bear and coves, and some aquavite, but litle of it. And that John M^cconell vic ean vic corkell alias M^cleod wes made Captain, and that ther wes powder, ball, and heighland guns in the house. Depones he knowes and sawe as he hes deponed, and that he cannot speake English nor wreitt, and this is the truth as he shall answer to God.

Sic subr., JA. FOULIS, I.P.D.

Donald Bayn, in Dingwall, of the age of threttie tuo years or therby, married, purged of partiall counsell, solemnlie sworn, examined and interogat upon oath, depones, that a fewe days befor the Earle of Seaforth went up to the countrey of Assint which wes about the Whitsonday, the pannall, Neill M^cleod of Assint, hade convocat and raised about three hundred men in armes, and putt them under officers and kept them togither three days, and that the third day the deponent left them and knowes not whether they kepted togither or disbandit, and knowes no more. Depones he wes present and sawe as he hes deponed, and that he did see them dreill, And this is the truth as he shall answer to God. *Sic subscribitur*, DON. BAYNE.

James Fraser, in Dingwall, of the age of threttie years or therby, married, purged of partiall counsell, solemnlie sworn, examined and interrogat upon oath depones, that about the tyme that my Lord Seaforth went up to the countrey of Assint. He did see Mcleod of Assint, the pannall, have about three hundred men in armes under officers, and that they were dreilled; and that they wer three or four dayes together before they did desolve and goe home. *Reddens causam scientie* he did see as he hes deponed, and that he cannot wreitt, and this is the truth as he shall answer to God.

Sic subscribitur, J.A. FOULIS, I.P.D.

The Lords Commissioners of Justiciarie ordaines the assyse to inclose and returne ther verdict to-morrow at tuo o'clock in the efternoon, and ordaines the pannall to be caryed back to prison.

Sir George McKenzie, for the persewer, protested for ane assyse of error in caice the should assolzie.

Mr. John Elies, pror. for the defr., takes instruments that the probaⁿ is closed.

The whilk day John Broun of Gorgiemilne, John Johnstoun of Poltoun, William Dick of Grainge, and Harie Trotter of Mortounhall, being ofttymes called to have compeired befor his Majesties Commissioners of Justiciarie this day and place in the hour of cause to have passed upon the Assyse of Neill Mcleod of Assint for the cryme of treason and others committed be him as they who were personallie cited be James Comrie measor of Court for that effect, laull. tyme of day bidden and they not enterand nor compeirand to the effect fors^d: the Lords Commissioners of Justiciarie therfor be the mouth of the said James Comrie, officer of Court, decerned and adjudged the s^{ds} John Brown, John Johnstoun, W^m Dick, and Harie Trotter, and ilk ane of them, to be in ane amerciament and unlawe of tuo hundred merkes for ther contumacie, being called tuo severall tymes of befor to have passed upon the said Assyse, which is pronounced for doom.

Absent assysers
unlawed.

The dyetts
continued.

The Lords continues this Court and haill causes therof till to-morrow at tuo o'clock in the efternoon, and ordaines assysers and witnesses to attend, each person under the pain of ane hundred merks.

Lord Strathurd,
preses.

Curia Justiciarie, S.D.N., Regis tenta in preitorio burgi de Edinburgh, decimo nono die mensis Februarii, 1674, per honorabiles viros Dominos Jacobum Foulis de Colintoun, Robertum Nairn de Strathurd, Joannem Lockhart de Castelhill, Joannem Baird de Newbyth, et Thomam Wallace de Craigie, Commissionarios Justiciarie dicti, S.D.N., Regis.

CURIA LEGITTIME AFFIRMATA.

Neill M^eleod of Assint.

Lord Advocat
ag^t M^eleod of
Assin.

To have heard and sein the verdict of assyse returned ag^t him and to have received sentence conforme.

My Lord
Advocat, speech
desyring that
the assyse
might be
inclosed of new
again.

It wes desyred by his Majesties Advocat in behalf of his Majestie, that befor the verdict be oppined the Chancelar of the assyse may declair whether or not the inqueist hes taken notice of the commission of fyre and sword and executions therof as a probation, and if they have not taken notice of the same, it is craved that yet they may take notice therof, and in order therto may be againe inclosed: and if they have taken notice of it, but not as a probation, and evidence upon pretence that the witnesses in ther execution were not there to affirme the same, it is humblie desyred that the Judges to whom it is incumbent to consider and determine the relevancie of the lybell and probaⁿ that they may yet clear the assyse as to the relevancie, seeing it is without all question that the said execution is ane undoubted evidence, being of itself ane execution of a messg^r who be the lawe is authorised to make such ane execⁿ, and containing no nullitie in the samen: (2^{do}) The said execution being produced and used as a probaⁿ wes not objected againest as ther wes no ground for any objection and wes acknowledged by the pannall's pror. to be a laull. execution and in effect wes made use of by the pannall in suae farr as

his prors. foundit ane objection against ane of the witnesses upon the same; (3^d) The said mistake (if any be) is so evidentlie groundles and absurd, the crymes lybelled being committed a long tyme efter the execution of the commission of fyre and sword, that both in this caice and in order to the consequence and preparative as to the future ther is a necessitie that it should be cleared, seeing if all the witnesses contained in the execution were dead and so could not compeir it were most absurd to think or assert that the execution should be void unlesse it were improven; (4^{to}) it is not unusuall that the assyse efter they are inclosed should desyre to be cleared in any point of lawe as to the relevancie of probation, seeing it is nottorlie known in the caice of the Lord Balmerino the assyse, tho consisting of persons of the greatest nobilitie of Scotland, efter they were inclosed did come out again, and in face of judgment that point of relevancie in the probation wes debated, viz. whether the assyse wes to consider simplie the deed in question or that circumstance *quo animo* it wes done, and therfor, seeing the assyse might of ther own motive desyre to be cleared of a mistake in point of relevancie it may be desyred by his Majestie's Advocat that the said mistake might be cleared by the judges both in order to his Majestie's interest that a person who is evidentlie guiltie upon the probation adduced may not be acquytt to the great shame of justice and incuradgement of wickednes, and that the inqueist may not be insnaired, and for acquytting a person nottorlie guiltie may not be processed themselves for wilfull error and perjurie: and it is humblie represented by the Advocat that it is a proper tyme to clear the said mistake in order to the effect forsaid befor the oppining the verdict, seeing *res est integra*: and the Advocat humblie desyres that the Lords may give ther answer in wreitt, that it may be known that the Advocat has done his dewtie.

His Majestie's Advocat takes Instruments upon his desyre above ment., and upon the verdict now oppined and produced wherby the assyse does all, except M^r Robert Blackwood, acquytt the pannall, notwithstanding of the clear evidence against him, and therfor doeth protest for wilfull error against all the persons of inqueist except the said M^r Robert.

The verdict of
assyse agt
M^cleod of
Assint.

Follows the tenor of the verdict of assyse :—

Att Edinburgh the eighteint of February 1674. The under writtten persons being choisen and appoynted to passe upon the Assyse of Neill M^cleod of Assint did choise for ther Chancelar M^r James Elies of Stenhousemilnes, and gave ther verdict *ut infra*.

M^r James Elies of Stenhouse, James Somervail of Drum.
milnes, Chancelar.

Sir Alex^r M^coulloch of Ardwel. M^r Rob. Smith of Southfield.
James Fleyming, merd. Geo. Galbreath, merd.

John M^clurge, merd. M^r Alex^r Paterson, merd.

Robert Childers, merd. M^r John Paipe of Walliford.

John Watson of Damehead.

Bartholmew Home, merd.

Robert Handiesyd, merd.

Thomas Noble, merd.

M^r Robert Blackwood, merd.

The assyse all in on voyce (on only excepted) assolzies the pannal Neill M^cleod of Assint from the crymes contained in the tuo members of the last article, viz., that the pannal efter the publication of the Commission for fyre and sword did raise and levie ane hundred men and upwards in armes, and putt them under officers and militarie disciplin, or swore them to collors, or hade them under collors, or dreilled them, or putt them under monethlie or weeklie pay ; as also that efter the publicaⁿ of the said comission of fyre and sword the pannal stuffed, provydit, and garisoned the house of Ardrack, in respect the publicaⁿ of the Commission for fyre and sword is not proven ; as also assolzies the pannal from the taking of Captain Keir, contained in the fourth article, in regaird not proven, as also assolzies the pannal from the deforcement mentionat in the sext article, because not proven. *Sic sub-*
scribitur,
JA. ELIES, Chancler.

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 Stevenson, Rev. Robert, M.A., The Abbey, Dunfermline.
 Stevenson, T. G., 22 Frederick Street, Edinburgh.
 Stewart, General the Hon. Alex., 36 Lennox Gardens, London, S.W.
 Stewart, Donald W., 62 Princes Street, Edinburgh.
- 350 Stewart, Major-General Shaw, 61 Lancaster Gate, London, W.
 Stewart, R. K., Murdostoun Castle, Newmains, Lanarkshire.
 Stewart, Prof. T. Grainger, M.D., 19 Charlotte Sq., Edinburgh.
 Stirling, Major C. C. Graham, Craigharnet, Campsie Glen, Glasgow.
 Strathallan, Lady, Strathallan Castle, Perthshire.
 Strathern, Robert, W.S., 12 South Charlotte St., Edinburgh.
 Stuart, Surgeon-Major G. B., 7 Carlton Street, Edinburgh.
 Sturrock, James S., W.S., 110 George Street, Edinburgh.
 Sutherland, James B., S.S.C., 10 Windsor Street, Edinburgh.
- TAYLOR, BENJAMIN, 10 Derby Crescent, Kelvinside, Glasgow.
- 360 Taylor, James Pringle, W.S., 19 Young Street, Edinburgh.
 Taylor, Rev. Malcolm C., D.D., Professor of Church History, 6 Greenhill Park, Edinburgh.
 Telford, Rev. W. H., Free Church Manse, Reston, Berwickshire.
 Tennant, Sir Charles, Bart., The Glen, Innerleithen.
 Thoms, George H. M., Advocate, 13 Charlotte Sq., Edinburgh.
 Thomson, John Comrie, Advocate, 30 Moray Place, Edinburgh.
 Thomson, Rev. John Henderson, Free Church Manse Hightae, by Lockerbie.

- Thomson, John Maitland, Advocate, 18 Atholl Cres., Edinburgh.
Thomson, Lockhart, S.S.C., 114 George Street, Edinburgh.
Thorburn, Robert Macfie, Uddevalla, Sweden.
- 370 Trail, John A., LL.B., W.S., 30 Drummond Place, Edinburgh.
Trayner, The Hon. Lord, 27 Moray Place, Edinburgh.
Tuke, John Batty, M.D., 20 Charlotte Square, Edinburgh.
Tweeddale, Mrs., Milton Hall, Milton, Cambridge.
Tweeddale, Marquis of, Yester, Gifford, Haddington.
- UNDERHILL, CHARLES E., M.D., 8 Coates Crescent, Edinburgh.
- VEITCH, Professor, LL.D., 4 The College, Glasgow.
Veitch, G. S., Friarshall, Paisley.
- WADDEL, ALEXANDER, Royal Bank, Calton, Glasgow.
Walker, Alexander, 64 Hamilton Place, Aberdeen.
- 380 Walker, James, Hanley Lodge, Corstorphine.
Walker, Louison, Westhorpe, Greenock.
Walker, Robert, M.A., Tillydrone House, Old Aberdeen.
Wannop, Rev. Canon, Parsonage, Haddington.
Watson, D., Hillside Cottage, Hawick.
Watson, James, Landscapes, Ticehurst, Hawkhurst.
Waugh, Alexander, National Bank, Newton-Stewart, N.B.
Weld-French, A. D., Union Club, Boston, U.S.
Williamson, A. C., Advocate, 6 Moray Place, Edinburgh.
Wilson, Rev. J. Skinner, 4 Duke Street, Edinburgh.
- 390 Wilson, John J., Clydesdale Bank, Penicuik.
Wilson, Robert Dobie, 38 Upper Brook Street, London.
Wood, Alexander, Thornly, Saltcoats.
Wood, Mrs. Christina S., Woodburn, Galashiels.
Wood, Prof. J. P., W.S., 16 Buckingham Terrace, Edinburgh.
Wood, W. A., C.A., 11 Clarendon Crescent, Edinburgh.
Wordie, John, 49 West Nile Street, Glasgow.
- YOUNG, A. J., Advocate, 60 Great King Street, Edinburgh.
Young, David, Town Clerk, Paisley.
Young, J. W., W.S., 22 Royal Circus, Edinburgh.
- 400 Young, William Laurence, Solicitor, Auchterarder.

PUBLIC LIBRARIES.

- Aberdeen Free Public Library.
 Aberdeen University Library.
 All Souls' College, Oxford.
 Antiquaries, Society of, Edinburgh.
 Baillie's Institution Free Library, 48 Miller St., Glasgow.
 Belfast Library, Donegal Square North, Belfast, Ireland.
 Berlin Royal Library.
 Bodleian Library, Oxford.
 Boston Athenæum.
 10 Boston Public Library.
 Cambridge University Library.
 Copenhagen (Bibliothèque Royale).
 Dollar Institution.
 Dundee Free Library.
 Dresden Public Library.
 Edinburgh Public Library.
 Edinburgh University Library.
 Free Church College Library, Edinburgh.
 Free Church College Library, Glasgow.
 20 Glasgow University Library.
 Gray's Inn, Hon. Society of, London.
 Harvard College Library, Cambridge, Mass.
 Leeds Subscription Library.
 London Corporation Library, Guildhall.
 London Library, 12 St. James Square.
 Manchester Public Free Library.
 Mitchell Library, Glasgow.
 National Liberal Club, London.
 National Library of Ireland.
 30 Nottingham Free Public Library.
 Ottawa Parliamentary Library.
 Paisley Philosophical Institution.
 Philosophical Institution, Edinburgh.
 Procurators, Faculty of, Glasgow.
 Reform Club, Pall Mall, London, S.W.
 Royal College of Physicians, Edinburgh.
 St. Andrews University Library.
 Sheffield Free Public Library.
 Signet Library, Edinburgh.
 40 Solicitors, Society of, before the Supreme Court, Edinburgh.
 Speculative Society, Edinburgh.
 Stonyhurst College, Blackburn, Lancashire.
 Sydney Free Library.
 Vienna, Library of the R. I. University.

REPORT OF THE SEVENTH ANNUAL MEETING OF THE SCOTTISH HISTORY SOCIETY

THE SEVENTH ANNUAL MEETING OF THE SOCIETY was held on Tuesday, October 31, 1893, at Dowell's Rooms, George Street, Edinburgh—Professor Masson in the chair.

The SECRETARY read the Report of the Council, as follows:—

THE COUNCIL announces with satisfaction that, notwithstanding a temporary delay in the issue of certain volumes now due, very substantial work is in preparation, and as each year goes by the material offering itself for publication increases beyond expectation both in quantity and quality.

The Council has, however, to regret that the *Ormond Letters* or Jacobite Rising of 1719, due last October, is still postponed. A portion of the book has been in type for many months, but it is not yet possible to say when it will be wholly through the press. Meanwhile its place, as fourteenth volume of the series, will be taken by the *Journal of Colonel Erskine of Cardross*, edited by the Rev. Walter Macleod. This volume will be in the hands of members in a few weeks. It will be immediately followed by a *Miscellany*, a bulky volume of more than 600 pages, which the Council resolved, a few months ago, to issue in order to compensate for the delay in the publication of the *Ormond Letters*.

The *Miscellany*, all of which is in type except a few pages, will contain (1.) The Library of James VI., a list of books acquired by or presented to the King, in the handwriting of his tutor, Peter Young, edited from a recently discovered ms. in the British Museum, by Mr. G. F. Warner, of the Manuscript Department: (2.) Documents illustrating Catholic Policy in the reign of James VI., being Memorials presented to the King of Spain by Ogilvy of Poury and Dr. Cecil in 1596, and a Defence of the King of Scotland by Father Creighton, S.J., in 1598, edited by T. G. Law: (3.) Twenty-four Letters of Sir Thomas Hope of Craighall, Lord Advocate, 1626-1646, edited by Rev. Robert Paul: (4.) Civil War Papers; Correspondence of Sir John Cochran and others, with James, Duke of Courland, and fragments regarding Montrose, edited by H. F. Morland Simpson, Rector of the Aberdeen Grammar School: (4.) Twenty-four Letters written to Archbishop Sharp by the Duke and Duchess of Lauderdale, etc., 1660-1677, edited by the Right Rev. Bishop Dowden: (5.) The Diary of George Turnbull, minister of Alloa, 1657-1704, edited by the Rev. R. Paul: (6.) The Masterton Papers, or 'Remarques' of Francis Masterton, 1660-1719, edited by V. A. Noël Paton, W.S.: (7.) Accompt of Expenses in Edinburgh, 1715, edited by A. H. Millar: (8.) Papers about the Rebellions of 1715 and 1745, comprising a Journal of Peter Clarke; Letters by William Nicholson, Bishop of Carlisle, 1715; and Leaves from the Diary of an Edinburgh Banker, 1745,—edited by Henry Paton.

This *Miscellany* only wants a few pages of its completion, and will be issued, it is hoped, sometime before Christmas. It will be followed shortly by the *Account Book of Sir John Foulis of Ravelston*, edited by the Rev. A. W. Cornelius Hallen. With the issue of this volume all arrears will be cleared off.

The year 1894 will begin well with a small volume of papers entitled *Charles II. and Scotland in 1650*, by Mr. Samuel Rawson Gardiner. It was originally intended that these

papers should form a part of the before-mentioned *Miscellany*, but as Mr. Gardiner's materials grew almost too large for this collection, it was thought better to assign to him a separate volume. The papers will throw new light on the relations between Charles II. and Montrose in 1650, and deal with the preparations made by the king to gather money or troops to assist Montrose, or to create a diversion in his favour. The volume ought to be ready early in the year. In the spring or summer Mr. C. H. Firth will pass through the press his promised volume of Clarke Papers. It will illustrate the history of the military government of Scotland under Cromwell, especially General Monk's campaigns (Aug. 1651—Feb. 1652), Richard Deane's completion of the conquest (Feb.—Dec. 1652), and Robert Lilburne's government (Jan. 1653—April 1654). Among the documents printed will be a diary of Monck's operations; financial statements showing the cost of the English army in Scotland, and of the various garrisons established there, and the assessment levied for their maintenance; letters from English officers in Scotland, etc.

There are several other works of importance in preparation or in progress. The *De Unione Regnorum Britannicæ* by Sir Thomas Craig, already transcribed and translated, will be edited by Professor Masson for 1895. A part of the second volume of the *Records of the Commissions of the General Assembly* is in type. The Council proposes, with the consent of the Society, to print the whole of the *Lyon in Mourning*, or Forbes's Memorials of 1745, as it stands in the manuscript preserved in the Advocates' Library, notwithstanding that certain portions, perhaps one-fourth of the whole, have been printed or utilized by Robert Chambers. Mr. Henry Paton will edit this work. To Mr. A. H. Millar has been intrusted the task of preparing a volume of Forfeited Estates Papers, forming a valuable supplement to the history of the Rebellion; and Mr. David Patrick, editor of Chambers' *Encyclopædia*, has undertaken to make a translation of the *Concilia Scotiæ*, the original text of

which was edited for the Bannatyne Club in 1866 by Dr. Joseph Robertson.

The Council is also making inquiries regarding a number of military and ecclesiastical documents, preserved in the archives of Holland, which concern the history of the Scottish Dutch Brigade and the Scottish Churches in Holland. A volume of such papers would add an interesting chapter to the history of the Scot abroad. It may be premature to mention other publications which are in view. The amount of matter to be printed will always depend on the keeping up of the full number of our Members. It is therefore encouraging to note that, whereas we began the past year with 15 candidates waiting for admission, and have since lost 20 Members by death or resignations, we nevertheless, after filling up all vacancies, can now count 30 applicants for admission.

According to rule Sir Arthur Mitchell, Dr. Sprott and Mr. Russell retire from the Council. It is proposed that Sir Arthur Mitchell and Dr. Sprott be re-elected, and that Mr. J. R. N. Macphail, Advocate, be appointed to take the place of Mr. Russell; also that Mr. S. R. Gardiner be added to the list of Corresponding Members of the Council.

The accompanying abstract of the treasurer's accounts shows that the income for 1892-93 has been £487, 9s. 10d.; and the expenditure £402, 1s. 8d., leaving a balance for the year in favour of the Society of £85, 8s. 2d. There is a balance due by the bank on current account of £331, 1s. 6d. The Reserve Fund of £300 remains intact.

The CHAIRMAN, in moving the adoption of the Report, said there was reference in it to a kind of hitch that had occurred in the way of their keeping absolutely to what they expected to keep to, in respect that the *Ormond Letters* had been delayed beyond their time. That matter had exercised the Council and their secretary a good deal. The best had been done by the

Council in the circumstances, but such hitches were bound to occur. They would see that there was a compensation. There was one volume which would be ready in a few weeks—the *Journal of Colonel Erskine of Cardross*. From his experience of that diary he thought it would be a very interesting book. They knew what a great success a recent diary issued by that Society had been—the *Memoirs of Clerk of Penicuik*. It had attracted attention everywhere, far beyond the bounds that were usually interested in the publication of a historical society. (Hear, hear.) That would be followed by a much larger book, and a composite book—a *Miscellany*. This was a very rich book indeed. It went over a large space of Scottish time, and consisted of a great variety of papers, beginning with the library of James Sixth and incidents of the character of the young king when he was a boy, and statements about his sayings, his remarkable wisdom, and so on, coming down to the Rebellion of '45. He thought there were nine separate articles, and he expected the book would be very successful and very interesting. But they should keep in view the propriety of now and then continuing this *Miscellany*. He had himself found not infrequently a paper of extreme historical interest, but too small to publish by itself. If the Council were on the watch for these, he thought the *Miscellany* of the Society might become a kind of institution. The programme for the following year was also extremely promising, and he might point out to any who might be disposed to remark on the delay last year, that one compensation would be that for 1894-5, their funds allowing it, they hoped to present an extra volume. He thought they might be satisfied with the statements as to the general condition of the Society. They had now, instead of fifteen candidates waiting for admission as last year, thirty applicants waiting to be admitted, and that notwithstanding twenty deaths or resignations. Altogether they would see that the Society was fulfilling its purpose. There had been a great deal of new matter issued to the public by the Society bearing on the history of Scotland, and the variety of its publications had also to be observed. Sometimes it was of a documentary character. That was varied by a *Diary*, giving anecdotes and

glimpses of customs and manners. He thought that in all ways the contributions of the Society to the materials of Scottish history had been worthy of the project of such a Society.

Mr. JAMES BRUCE, W.S., in seconding the adoption of the Report, said the whole of Scotland was under the deepest debt of gratitude to the Council for the way in which the publications of that Society had been managed. The volumes they had already would constitute a very valuable Scottish historical library. He endorsed what the Chairman had said in regard to the advisability of picking up stray works and continuing the *Miscellany*.

On the motion of Mr. W. COWAN a vote of thanks was passed to the Chairman and Office-bearers.

ABSTRACT OF HON. TREASURER'S ACCOUNTS

For Year to 24th October 1893.

I.—CHARGE.

Balance from last year,	£237	3	4
10 Subscriptions in arrear for 1891-92,	10	10	0
400 Subscriptions for 1892-93 at £1, 1s.,	£420	0	0
Less 14 in arrear for 1892-93,	14	14	0
	<hr/>		
		405	6 0
44 Libraries at £1, 1s.,	46	4	0
Copies of previous issues sold to new Members,	16	16	0
Interest on Deposit Receipts,	12	17	10
	<hr/>		
Sum of Charge,	£728	17	2
	<hr/>		

II.—DISCHARGE.

I. *Incidental Expenses—*

Printing Circulars and Cards,	£4	18	0
,, Annual Report of Council, and Rules,	1	17	0
Stationery (13s.), and Receipt Book (15s.),	1	8	0
Making up, and delivering copies,	11	17	0
Postages of Secretary and Treasurer,	4	17	3
Clerical work,	2	18	6
	<hr/>		
Carry forward,	£24	17	3

Brought forward,	£24	17	3	
Charges on Cheques,	0	5	0	
Purchase of back volume,	0	18	0	
Hire of Room for Meeting, 1892,	0	5	0	
				<hr/> £29 3 9

II. *Clerk of Penicuik's Memoirs—*

Composition, Presswork, and				
Paper,	£77	8	0	
Proofs and Corrections,	30	12	0	
Illustrations,	25	18	0	
Indexing,	4	4	0	
Binding,	19	10	3	
				<hr/> £157 12 3
Less paid to account, October				
1892	76	16	0	
				<hr/> 80 16 3

III. *Miscellany, Expenses to Date—*

Composition, Presswork, and				
Paper,	£75	2	0	
Proofs and Corrections,	19	14	0	
Transcripts,	15	10	0	
Illustrations,	16	2	0	
				<hr/> 126 8 0

IV. *Erskine's Diary, Expenses to Date—*

Composition, Presswork, and				
Paper,	£37	6	0	
Proofs and Corrections,	9	14	0	
Indexing,	2	15	0	
				<hr/> 49 15 0

V. *Records of the General Assembly,*

Vol. II., Expenses to Date—

Composition, Presswork, and				
Paper,	£27	0	0	
Proofs and Corrections,	10	18	0	
				<hr/> 37 18 0
Carry forward,	£324	1	0	

	Brought forward,	£324	1	0
VI. <i>The Jacobite Rising, Expenses to Date—</i>				
Composition, Presswork, and				
Paper,	£14	18	0	
Proofs and Corrections,	1	16	0	
			16	14 0
VII. <i>Foulis's Diary, Expenses to Date—</i>				
Composition, Presswork, and				
Paper,	£8	16	0	
Proofs and Corrections,	1	3	0	
Typewriting MS.,	9	5	7	
			19	4 7
VIII. <i>Craig's De Unione—</i>				
Typewriting Copy for Editor,			8	5 6
IX. <i>The Clarke Papers—</i>				
Transcripts,			6	4 7
X. <i>The Forfeited Estates Papers—</i>				
Purchase of MS.,			27	12 0
			£402	1 8
XI. <i>Balance to next Account—</i>				
Sum due by the Bank of Scotland				
on 24th October 1893,	£333	1	6	
Less 6 Subscriptions for 1893-94				
paid in advance,	6	6	0	
			326	15 6
	Sum of Discharge,	£728	17	2

EDINBURGH, 4th November 1893.—Having examined the Accounts of the Treasurer of the Scottish History Society for the year ending 24th October 1893, we have found the same correctly stated and sufficiently vouched, and that the balance in bank at the close of the Account amounts to Three hundred and thirty-three pounds one shilling and sixpence sterling, whereof six guineas represent subscriptions paid in advance.

RALPH RICHARDSON, *Auditor.*
WM. TRAQUAIR DICKSON, *Auditor.*

Scottish History Society.

THE EXECUTIVE.

President.

THE EARL OF ROSEBERY, K.G.

Chairman of Council.

DAVID MASSON, LL.D., Historiographer Royal for Scotland.

Council.

J. N. MACPHAIL, Advocate.

Rev. A. W. CORNELIUS HALLEN.

Sir ARTHUR MITCHELL, K.C.B., M.D., LL.D.

Rev. GEO. W. SPROTT, D.D.

J. BALFOUR PAUL, Lyon King of Arms.

A. H. MILLAR.

J. R. FINDLAY.

P. HUME BROWN, M.A.

G. GREGORY SMITH, M.A.

J. FERGUSON, Advocate.

Right Rev. JOHN DOWDEN, D.D., Bishop of Edinburgh.

ÆNEAS J. G. MACKAY, LL.D., Sheriff of Fife.

Corresponding Members of the Council.

C. H. FIRTH, Oxford ; SAMUEL RAWSON GARDINER, LL.D. ; Rev.
W. D. MACRAY, Oxford ; Rev. Professor A. F. MITCHELL, D.D.,
St. Andrews ; Professor J. VEITCH, LL.D., Glasgow.

Hon. Treasurer.

J. T. CLARK, Keeper of the Advocates' Library.

Hon. Secretary.

T. G. LAW, Librarian, Signet Library.

RULES

1. THE object of the Society is the discovery and printing, under selected editorship, of unpublished documents illustrative of the civil, religious, and social history of Scotland. The Society will also undertake, in exceptional cases, to issue translations of printed works of a similar nature, which have not hitherto been accessible in English.

2. The number of Members of the Society shall be limited to 400.

3. The affairs of the Society shall be managed by a Council, consisting of a Chairman, Treasurer, Secretary, and twelve elected Members, five to make a quorum. Three of the twelve elected Members shall retire annually by ballot, but they shall be eligible for re-election.

4. The Annual Subscription to the Society shall be One Guinea. The publications of the Society shall not be delivered to any Member whose Subscription is in arrear, and no Member shall be permitted to receive more than one copy of the Society's publications.

5. The Society will undertake the issue of its own publications, *i.e.* without the intervention of a publisher or any other paid agent.

6. The Society will issue yearly two octavo volumes of about 320 pages each.

7. An Annual General Meeting of the Society shall be held on the last Tuesday in October.

8. Two stated Meetings of the Council shall be held each year, one on the last Tuesday of May, the other on the Tuesday preceding the day upon which the Annual General Meeting shall be held. The Secretary, on the request of three Members of the Council, shall call a special meeting of the Council.

9. Editors shall receive 20 copies of each volume they edit for the Society.

10. The owners of Manuscripts published by the Society will also be presented with a certain number of copies.

11. The Annual Balance-Sheet, Rules, and List of Members shall be printed.

12. No alteration shall be made in these Rules except at a General Meeting of the Society. A fortnight's notice of any alteration to be proposed shall be given to the Members of the Council.

PUBLICATIONS
OF THE
SCOTTISH HISTORY SOCIETY

For the year 1886-1887.

1. BISHOP POCOCKE'S TOURS IN SCOTLAND, 1747-1760. Edited by
D. W. KEMP. (Oct. 1887.)
2. DIARY OF AND GENERAL EXPENDITURE BOOK OF WILLIAM
CUNNINGHAM OF CRAIGENDS, 1673-1680. Edited by the Rev.
JAMES DODDS, D.D. (Oct. 1887.)

For the year 1887-1888.

3. PANURGI PHILO-CABALLI SCOTI GRAMEIDOS LIBRI SEX.—THE
GRAMEID: an heroic poem descriptive of the Campaign of
Viscount Dundee in 1689, by JAMES PHILIP of Almerieclose.
Translated and Edited by the Rev. A. D. MURDOCH.
(Oct. 1888.)
4. THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part I.
1559-1582. Edited by D. HAY FLEMING. (Feb. 1889.)

For the year 1888-1889.

5. DIARY OF THE REV. JOHN MILL, Minister of Dunrossness, Sand-
wick, and Cunningburgh, in Shetland, 1740-1803. Edited
by GILBERT GOUDIE, F.S.A. Scot. (June 1889.)
6. NARRATIVE OF MR. JAMES NIMMO, A COVENANTER, 1654-1709.
Edited by W. G. SCOTT-MONCRIEFF, Advocate. (June 1889.)
7. THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part II.
1583-1600. Edited by D. HAY FLEMING. (Aug. 1890.)

For the year 1889-1890.

8. A LIST OF PERSONS CONCERNED IN THE REBELLION (1745). With a Preface by the EARL OF ROSEBERY and Annotations by the Rev. WALTER MACLEOD. (Sept. 1890.)

Presented to the Society by the Earl of Rosebery.

9. GLAMIS PAPERS: The 'BOOK OF RECORD,' a Diary written by PATRICK, FIRST EARL OF STRATHMORE, and other documents relating to Glamis Castle (1684-89). Edited by A. H. MILLAR, F.S.A. Scot. (Sept. 1890.)

- 10. JOHN MAJOR'S HISTORY OF GREATER BRITAIN (1521). Translated and Edited by ARCHIBALD CONSTABLE, with a Life of the author by ÆNEAS J. G. MACKAY, Advocate. (Feb. 1892.)

For the year 1890-1891.

11. THE RECORDS OF THE COMMISSIONS OF THE GENERAL ASSEMBLIES, 1646-47. Edited by the Rev. Professor MITCHELL, D.D., and the Rev. JAMES CHRISTIE, D.D., with an Introduction by the former. (May 1892.)
12. COURT-BOOK OF THE BARONY OF URIE, 1604-1747. Edited by the Rev. D. G. BARRON, from a ms. in possession of Mr. R. BARCLAY of Dorking. (Oct. 1892.)

For the year 1891-1892.

13. MEMOIRS OF THE LIFE OF SIR JOHN CLERK OF PENICUIK, Baronet, Baron of the Exchequer, Commissioner of the Union, etc. Extracted by himself from his own Journals, 1676-1755. Edited from the original ms. in Penicuik House by JOHN M. GRAY, F.S.A. Scot. (Dec. 1892.)
14. DIARY OF COL. THE HON. JOHN ERSKINE OF CARNOCK, 1683-1687. From a ms. in possession of HENRY DAVID ERSKINE, Esq., of Cardross. Edited by the Rev. WALTER MACLEOD. (Dec. 1893.)

For the year 1892-1893.

15. MISCELLANY OF THE SCOTTISH HISTORY SOCIETY, First Volume—
 THE LIBRARY OF JAMES VI., 1573-83, edited by G. F. WARNER.
 DOCUMENTS ILLUSTRATING CATHOLIC POLICY, 1596-98, edited
 by T. G. LAW.
 LETTERS OF SIR THOMAS HOPE, 1627-46, edited by the
 Rev. ROBERT PAUL.
 CIVIL WAR PAPERS, 1645-50, edited by H. F. MORLAND
 SIMPSON.
 LAUDERDALE CORRESPONDENCE, 1660-77, edited by the Right
 Rev. BISHOP DOWDEN.
 TURNBULL'S DIARY, 1657-1704, edited by the Rev. R. PAUL.
 MASTERTON PAPERS, 1660-1719, edited by V. A. NOËL
 PATON.
 ACCOMPT OF EXPENSES IN EDINBURGH, 1715, edited by A.
 H. MILLAR.
 REBELLION PAPERS, 1715 and 1745, edited by HENRY PATON.
 (Dec. 1893.)
16. ACCOUNT BOOK OF SIR JOHN FOULIS OF RAVELSTON (1671-1707).
 Edited by the Rev. A. W. CORNELIUS HALLEN.
 (June 1894.)

For the year 1893-1894.

- LETTERS AND PAPERS ILLUSTRATING THE RELATIONS BETWEEN
 CHARLES II. AND SCOTLAND IN 1650. Edited with Notes and
 Introduction by SAMUEL RAWSON GARDINER, LL.D., etc.
 (Immediately.)
- PAPERS RELATING TO THE MILITARY OCCUPATION OF SCOTLAND BY
 GENERAL MONK AND THE GOVERNMENT OF ROBERT LILBURNE,
 1651-1654. Edited by C. H. FIRTH.
- THE JACOBITE RISING OF 1719. Letter Book of James, Second
 Duke of Ormond, Nov. 4, 1718—Sept. 27, 1719.

In preparation.

- RECORDS OF THE COMMISSIONS OF THE GENERAL ASSEMBLIES (*continued*)
 for the years 1648-49, 1649-50, 1651-52. Edited by the
 Rev. Professor MITCHELL, D.D., and Rev. JAMES CHRISTIE, D.D.

SIR THOMAS CRAIG'S DE UNIONE REGNORUM BRITANNIÆ. Edited, with an English Translation, from the unpublished manuscript in the Advocates' Library, by DAVID MASSON, Historiographer Royal.

THE DIARY OF ANDREW HAY OF STONE, NEAR BIGGAR, AFTERWARDS OF CRAIGNETHAN CASTLE, 1659-60. Edited by A. G. REID from a manuscript in his possession.

THE LYON IN MOURNING: FORBES'S MEMOIRS OF THE REBELLION OF 1745. Edited from the original in the Advocates' Library by HENRY PATON.

THE JOURNALS OF JOHN MURRAY OF BROUGHTON, 1745-46. Edited by ROBERT FITZROY BELL, Advocate.

A TRANSLATION OF THE STATUTA ECCLESIE SCOTICANÆ, 1225-1556, by DAVID PATRICK, LL.D.

A TRANSLATION OF THE HISTORIA ABBATUM DE KYNLOS OF FERRERIUS, by ARCHIBALD CONSTABLE.

A SELECTION OF THE FORFEITED ESTATES PAPERS PRESERVED IN H.M. GENERAL REGISTER HOUSE. Edited by A. H. MILLAR.

DOCUMENTS IN THE ARCHIVES OF HOLLAND CONCERNING THE SCOTS BRIGADE. Edited by JAMES FERGUSON, Advocate.

DOCUMENTS RELATING TO THE AFFAIRS OF THE ROMAN CATHOLIC PARTY IN SCOTLAND, from the year of the Armada to the Union of the Crowns. Edited by THOMAS GRAVES LAW.

